

out upon the Water in such Vessel, as aforesaid, provided as aforesaid, such Person shall be fined the Sum of Two hundred Pounds of Tobacco; and also every Person, that shall strike any Fish, as aforesaid, whether by Day or Night, the Sum of One hundred Pounds of Tobacco for every Fish so struck; One Half of each of which said Fines to be paid to the Informer, and the other Half to our Sovereign Lady the Queen, Her Heirs or Successors, to be employed by the Justices of the County, where the Offender lives, towards the Defraying the Charge of such County; such Fact or Facts to be proved by the Oath of One sufficient Witness, besides the Informer, before One or more Justice or Justices of the Peace, who upon Complaint thereof made, shall issue out his Warrant to the Constable of the Hundred, or to such other Person or Persons, as such Justice or Justices shall think fit, to bring before him or them the Person or Persons against whom such Complaint shall be made, and the Witness or Witnesses, which the Complainant shall name; which Justice or Justices shall have full Authority, by Virtue of this Act, to hear and determine the Matter; and upon such Proof the Justice or Justices shall issue his or their Warrant to the Sheriff of such County, to levy the same Fines by Distress and Sale of the Goods and Chattels of the Person or Persons having so offended; and in Default of Goods or Chattels, to be shewn by such Offender or Offenders to such Sheriff, that then such Sheriff shall be, and is hereby empowered to levy the same upon the Body or Bodies of him or them, and shall, on Receipt of such Fines, forthwith pay One Half of such Fine to the Informer, and render an Account of the other Half to the Justices of such County, at the Time of the Laying the then next Levy for such County, to be applied towards the Defraying the same County Charge, as aforesaid.

PROVIDED nevertheless, That in case any Servant, or Slave, shall be accused of any Fact prohibited by this Law, and that it shall appear to the Justice or Justices, before whom such Accusation shall be made or examined, that such Servant, or Slave, is Guilty of the Fact, whereof he or she shall be so accused, but that such Fact was committed by the Direction, Order, or Approbation of the Master, Mistress, Dame, or Overseer of such Servant, or Slave; that then such Master, Mistress, Dame, or Overseer, shall, upon Conviction of such Directions, Order, or Approbation, as aforesaid, in Manner above prescribed, be liable to the same Forfeitures, as if such Fact had been personally committed by the Person so Directing, Ordering, or Approving the same: But if such Fact shall appear to such Justice or Justices, as aforesaid, to have been voluntarily committed by such Servant, or Slave, without any such Directions, Order, or Approbation, as aforesaid, that then such Servant, or Slave, being convicted thereof in Manner aforesaid, shall, in Default of the Payment of the Fine or Fines, as above by this Act imposed, forthwith suffer Corporal Punishment, by being whipt with so many Stripes on his or their bare Back, as to the Justice or Justices, before whom such Conviction shall happen, shall seem meet, not exceeding Thirty nine.

PROVIDED nevertheless, That this Act, or any thing therein contained, shall not extend, or be construed to extend, to hinder or debar any Persons whatsoever, from Striking Whales, Sharks, Porpoises, Sturgeon, Stingraes, Skates, or Garfish, in the Day-time, within the Precincts aforesaid; nor any other sort of Fish, at any Time, upon the Sea-side.

Pass'd November 15th, 1712.

Revis'd May 21st, 1715.