

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Terms of the said Inferior Court of Common Pleas and General Sessions of the Peace heretofore held on the second Tuesday in January and the last Tuesday in July respectively, shall hereafter be holden on the first Tuesday in January and July respectively in each and every year, any law, usage or custom to the contrary notwithstanding.

The January and July Terms to be held on the first Tuesdays in January and July.

II. And be it enacted, That no suit, process or proceeding instituted or commenced before the passing of this Act, shall abate or be discontinued by reason of the altering of the time of holding the said Terms respectively; but all actions, processes, suits and proceedings shall be carried on and continued to final judgment in the same manner as if this Act had not been passed, anything herein contained to the contrary notwithstanding.

No process to be abated by reason of the alteration.

### CAP. LXV.

An Act for regulating the Salmon Fisheries in the County of Restigouche.

Passed 27th March 1845.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of His late Majesty King William the Fourth, intituled *An Act for regulating the Salmon Fisheries in the County of Gloucester*, and also an Act made and passed in the seventh year of the Reign of His said late Majesty, intituled *An Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent, and Gloucester*, so far as the same in any way relate to the Bays, Rivers, Creeks, and Coves in the County of Restigouche, be and the same are hereby repealed.

Acts 3 W. 4. c. 27. and 7 W. 4. c. 23, repealed, as to the County of Restigouche.

II. And be it further enacted, That from and after the passing of this Act, if any person or persons shall presume to erect or set up any hedge, wear, fish garth, net, or other incumbrance, in any of the Rivers, Coves or Creeks of the said County of Restigouche, contrary to the provisions of this Act, or of any rules or regulations to be made under the authority hereinafter given, or shall place any seine or seines, net or nets, or other device, across any River, Cove or Creek in the said County, in such manner as to obstruct or injure the natural course of Salmon in any River or place where they usually go, such person and persons shall forfeit and pay the sum of five pounds, upon due conviction thereof by the oath of one or more credible witness or witnesses, before any two of Her Majesty's Justices of the Peace of the said County, to be levied with costs, by warrant of distress and sale of the offender's goods and chattels, rendering the overplus, (if any,) to such offender; and ten pounds for the second offence, to be recovered with costs by action of debt, bill, plaint or information, in any Court of Record in this Province; and thirty pounds for the third and every subsequent offence, to be recovered with costs in the manner last mentioned: which penalties, on conviction, shall be paid, one half to the County Treasurer for the use of the said County, and the other half to the informer.

Erecting hedges, fish garths, &c. contrary to this Act, or placing seines, &c. so as to obstruct the course of Salmon.

Penalties and Recovery.

III. And be it further enacted, That from and after the passing of this Act, no person or persons shall use any drift net or nets, seine or seines, for the taking any fish by drifting or sweeping in any of the Harbours, Creeks, Coves or Rivers in the said County, and that if any such drift net or nets, seine or seines, shall be found in any River, Cove or Creek in the said County, contrary to the provisions of this Act, it shall and may be lawful for the Overseer or Overseers of the Fisheries, and they and each of them are hereby required respectively forthwith to seize the same; and if no owner or owners shall appear to claim the same in ten days, such net or nets, seine or seines, shall, together with the fish, if any found therein, be forfeited, and sold by the Overseer to satisfy the respective penalties in this Act mentioned and inflicted, and the overplus, (if any,) shall be paid to the Overseers of the Poor for the use of the Poor of the Town or Parish where such offence should be committed.

Application.

No drift net or seines to be used.

Penalty.

IV. And be it further enacted, That no fishing stand between Bonne Amie Rocks and the first Island above old Church Point, in the Restigouche River, shall exceed one hundred and fifty fathoms of bar net, or twenty fathoms of swing net, and that fifty fathoms of channel shall be left open and unincumbered; and that at and above the said first Island, one third of the said River shall be left open and unincumbered; which open or unincumbered space shall in all cases include the main channel, and that no fishing stand in any of the Coves, Creeks or Harbours between Bonne Amie Rock and the Eastern boundary of the

Length of nets and breadth of unincumbered channel determined.