

Contravening nets not removed on notification by the Overseers of the Fisheries, to be removed and sold.

County of Restigouche inclusive, shall exceed two hundred fathoms of bar net in length, and twenty fathoms of swing net; and that should any person or persons set salmon nets contrary to the provisions of this Act, it shall be the duty of the Overseer of the Fisheries in the several Parishes in the said County, upon complaint made to him or them, or upon view thereof, to notify the owner or owners, or person in charge of said nets, to remove the same forthwith; and in case such owner or owners, or person in charge, shall refuse or neglect so to do, that then and in that case the said Overseer is hereby authorized and empowered to remove or cause to be removed the net or nets so set as aforesaid, and to sell the same at Public Auction to defray the expenses of the removal thereof, giving six days notice of such sale in at least three different parts or public places of the Parish where the same may have been so seized, and rendering the overplus, (if any,) after deducting the costs and charges as aforesaid, to the Overseers of the Poor of the said Parish for the use of the Poor of the said Parish.

No net to remain set after the 20th day of July.

V. And be it further enacted, That no net shall be allowed to remain set in any of the Rivers, Coves, Creeks or Harbours of the said County, after the twentieth day of July in each and every year, under a penalty on the owner or owners of such nets of ten pounds for each day the same be allowed to remain set after that time; which penalty shall be sued for, recovered and applied as is directed in and by the second section of this Act.

Penalty.

No salmon to be speared or killed after the 15th of August.

VI. And be it further enacted, That no person or persons whosoever shall spear or kill Salmon in the Restigouche or any of its Branches, or in any other River in the said County of Restigouche, by any device or under any pretence after the fifteenth day of August in each and every year, under a penalty of not less than one pound nor more than five pounds for each and every Salmon so taken; and any person or persons who may become the purchaser or purchasers of any Salmon, knowing the same to be so killed or taken after the said fifteenth day of August aforesaid, he, she or they so purchasing the same, shall for each and every offence forfeit and pay a sum not less than ten shillings nor more than five pounds; which several penalties shall be recovered with costs, by the oath of one or more credible witness or witnesses, before any one of Her Majesty's Justices of the Peace of the said County, to be levied by warrant of distress and sale of the offender's goods and chattels, rendering the overplus, (if any,) to such offender or offenders; and if on the trial of such complaint it shall appear to the satisfaction of such Justice that the person or persons convicted of the said offence is or are unable to pay the said penalty, it shall and may be lawful for the said Justice to commit the said person or persons to close confinement in the Common Gaol of the said County, or some legally authorized Lock-up-House, there to remain for a space of time not less than five days nor more than twenty days, unless the said penalty shall be sooner paid; and the said penalty, when received, shall be paid over, one half to the informer or informers, and the other half to the County Treasurer for the use of the County.

Penalties.

Recovery.

Offender may be committed if unable to pay.

No fishing allowed between sunset on Saturdays and sunrise on Mondays.

VII. And be it further enacted, That no fishing stand in any of the Rivers, Coves, Creeks or Harbours within the said County, shall be fished at any time between sunset on Saturday and sunrise on Monday, under a penalty of five pounds, and all Salmon pickets shall be drawn or removed previous to the first day of August in each and every year, under the like penalty of five pounds; which penalty shall be recovered, levied and appropriated in like manner as is provided in and by the second section of this Act.

Salmon pickets to be removed before 1st day of August.

Justices in Sessions may make further regulations for the Fisheries, with penalties not exceeding £10.

VIII. And be it further enacted, That Her Majesty's Justices of the Peace of the said County of Restigouche, at their General Sessions, shall and may make such rules and regulations for the further protection of the Fisheries, as well of Salmon as of other Fish, in all Rivers, Coves, Creeks and Harbours in the said County, and shall direct and establish places in the several Rivers, Coves, Creeks and Harbours in the said County, at which nets for the taking of Salmon shall and may be set up, and also shall regulate the length of such nets; and they are hereby authorized and empowered to enforce due obedience to such rules and regulations, by the imposition of such fine not to exceed ten pounds for each offence, or such imprisonment not exceeding twenty days, as they in their discretion may see fit; provided that the said rules and regulations so to be made be not contrary to or inconsistent with the provisions of this Act.

Overseers of the Fisheries to be appointed by the Justices in Sessions.

IX. And be it further enacted, That the said Justices of the Peace of the said County, in their General Sessions, may, and they are hereby authorized and required to appoint one or more fit and proper person or persons to be Overseers