

No net to be set within fifty fathoms of another,

Nor be of less than five and a half inch meshes.

General Sessions empowered to appoint Overseers of the Fisheries.

Overseers empowered to seize illegal nets and sell them, &c.

Fees of Overseers.

Penalty on Overseers for neglect of duty.

On neglect of duty by Overseers, the Sheriff, Deputy Sheriff, &c. may be applied to.

No salmon to be taken or purchased nor net set at certain places between specified periods.

take in more than one half of the main channel in any of the said Branches or other Rivers as aforesaid, no net whatever shall be set on the channel side of the River: And be it enacted, that no nets whatever shall be set inside of any base lines allowed in the Bay, Harbour, River or Branches of the Miramichi, excepting in front of the Lot formerly owned by Robert England, deceased, in Napan Bay, where the net may extend into the Bay in front of the said Lot two hundred fathoms from low water; and in front of the Lot formerly owned by Richard Home, deceased, where the net may extend two hundred fathoms from low water; provided always, that no part of the said quantity of net is set outside of the said line: And be it enacted, that no nets shall be placed within less than fifty fathoms of each other, measured upon a straight line running parallel as near as may be with the shore in any of the said Rivers or Branches in this section mentioned, under the penalty of not less than five pounds nor more than ten pounds for each and every of the offences against any of the provisions of this section; and that no net shall be set, the meshes of which shall be of a less size than five inches and one half of an inch, under the penalty of not less than three pounds nor more than ten pounds for each and every offence; provided always, that this shall not extend to or affect Herring or Gaspereaux Nets.

II. And be it enacted, That the Justices of the Peace in the said County of Northumberland, in their General Sessions, may and are hereby required to appoint one or more fit person or persons to be Overseers of the Fisheries for each Town, Parish or District, who shall be sworn to the faithful discharge of their duty, and shall have power to remove any net, hedge, wear, fishgarth, seine, or other incumbrance that shall be found in any River, Cove or Creek, contrary to the provisions of this Act; provided always, that every Overseer of the Fisheries now appointed under the provisions of any of the said hereinbefore recited Acts shall continue in office, and have full power and authority to act under the provisions of this Act, until some other person be appointed in his place.

III. And be it enacted, That if any net, hedge, wear, fishgarth, or other incumbrance, or any drift net shall be found in any River, Cove or Creek, contrary to the provisions of this Act, it shall and may be lawful for such Overseers of the Fisheries, and they and each of them are hereby required respectively forthwith to seize the same; and if no owner shall appear to claim the same within six days, such net, seine or fishgarth, shall, together with the fish, if any found therein, be forfeited and sold by the said Overseers to satisfy the respective penalties in this Act mentioned and inflicted, and the overplus, if any, shall be paid to the County Treasurer of the said County of Northumberland.

IV. And be it enacted, That the said Overseers of the Fisheries shall be entitled to demand and receive one shilling, and no more, for each set of nets to be set in the District to which they shall be respectively appointed, from the proprietors of such nets, as a compensation for their trouble.

V. And be it enacted, That if any such Overseer of the Fisheries shall at any time wilfully and knowingly delay, neglect or refuse to perform the duty in and by this Act enjoined, such offender shall forfeit and pay for every offence the sum of five pounds, to be sued for, recovered and applied in the manner hereinafter mentioned.

VI. And be it enacted, That if any Overseer shall so neglect to perform the duty in and by this Act enjoined, it shall and may be lawful for any person or persons to apply to the Inspector or Inspectors hereafter to be appointed, or any of them, or to the Sheriff, his Deputy, or any Constable, who are hereby authorized and required to take up and remove any such incumbrance forthwith; and if no person or persons appear to claim the same within six days, the said net or nets so taken up and removed as aforesaid, shall be considered, the one moiety as the property of the person or persons so complaining, and the other moiety as the property of the Inspector, Sheriff, his Deputy, or any Constable who may take up and remove the same.

VII. And be it enacted, That no salmon shall be taken or killed in any manner whatever in the Bay, Harbour or River Miramichi, below Beaubear's Island, from the fifteenth day of August, or above Beaubear's Island in both Branches, or in the Bartibogue, Tabusintack, Bay du Vin, Napan, or Black Rivers, from the thirty first day of August to the first day of April in every year; nor shall any person purchase any fish so killed or taken under the penalty of not less than five shillings nor more than twenty shillings for each fish so killed, taken or purchased; and that no net shall be set or allowed to remain on any pickets in the said River or its Branches after the times hereinbefore limited and appointed for fishing, under the penalty of not less than three pounds nor more than five