

machine, trap, wier, or line with hooks, set or used contrary to the provisions of this Act, may be seized and sold by any Constable or Fishery Warden, and after deducting expenses of seizure and sale, the proceeds paid to the County Treasurer for the purposes of the Fishery Fund.

4. Whoever shall catch any salmon by drifting with a net in any River in the said County, shall for each offence forfeit and pay a sum not exceeding five pounds, and the net used for such purpose shall be forfeited and sold, and disposed of as in the last preceding Section.

5. No person other than an Indian shall take, catch or kill any salmon by means of spears, harpoons, jigger hooks, or grapnels, under the penalty of a sum not exceeding five pounds for each offence.

6. Indians may for their own immediate use and consumption in the months of May, June, and July, catch or take salmon in the manner aforesaid, upon waters not set apart for breeding and spawning; but they shall on no pretence whatever sell, barter or give away any salmon so captured or killed in the manner heretofore named.

7. The possession of any such salmon so killed shall be *prima facie* evidence that the same was killed or taken contrary to law, and it shall be forfeited accordingly, and the party punishable according to law.

8. No fishing shall be allowed in any waters set apart by the Sessions for the purpose of spawning or breeding, under the penalty of a sum not exceeding ten pounds for each offence.

9. The execution and carrying into effect of the regulations made under the authority of this Act, shall and may be made and carried out by such persons as the Sessions shall appoint, or by such officers as are appointed under any law relating to the Fisheries, or both.

10. The Sessions shall have power to raise the sum required by the third Section of Chapter 101, Title XXII, 'Of the Sea and River Fisheries,' by assessment as therein is provided, or by any other mode they may deem advisable.

11. Any person guilty of any offence punishable by any law in force in Canada, or guilty of the breach of any regulations made under the authority of any law in Canada relating to the management, protection, or regulation of the Fisheries of the River Restigouche or Mistouche, who may come into the Province, may be punished in this Province therefor, in the same manner as if the offence had been committed in this Province; and every such offender may be summarily dealt with and convicted before any Justice of the Peace for the said County of Restigouche, under the provisions of the Summary Conviction Act.

12. In prosecutions for penalties for a breach of any law relating to the Fisheries or any fishery regulation in Canada, committed on that part of the River Restigouche or Mistouche within the jurisdiction of the Province of Canada, the Statutes of Canada, published in the Canada Gazette by the Queen's Printer, containing such law or the regulations made thereunder, published in the same manner, shall be evidence of the law and regulations respectively; or the certificate of the Provincial Secretary or Clerk of the Executive Council, certifying the enactment of any Statute in Canada, or the making of any Order in Council, or Regulation authenticated by the Seal of the Province of Canada, shall be evidence of such Statute of Canada, Order in Council, or Regulation; and the authority of a Canadian Officer connected with the protection of the

Fisheries, or charged with the execution of any such law or regulation in Canada, may be proved by oral testimony.

13. Fines and penalties imposed by this Act, or by any Regulations of the Sessions made under the authority thereof, may be sued for and recovered in the mode prescribed by any law relating thereto, or for summary convictions, in force at the time of the commission of the offences.

### CAP. LIII.

#### An Act to authorize investigation in cases of Fire in the City of Fredericton.

##### Section.

- 1, 2. Mayor to investigate all cases of damaging fires: summon informants, &c.
3. Penalty for non appearance or refusal to answer

##### Section.

4. False swearing, perjury.
5. Two City Councillors may act in absence of Mayor.

Passed 9th April 1860.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. It shall be the duty of the Mayor of the City of Fredericton for the time being, when any fire shall occur whereby any house or building, steam boat, wood boat, vessel, structure or property in such City, shall be wholly or in part consumed, to institute an enquiry into the cause or origin of such fire, and for that purpose the said Mayor is hereby authorized and required to summon and bring before him all persons whom he may deem capable of giving information or evidence touching or concerning such fires, and to examine such persons under oath, and to reduce their examination to writing.

2. Such Mayor shall enquire into the cause or origin of the fire, and whether the same was kindled by design or was the result of accident or of negligence, and proceed accordingly.

3. If any person summoned to appear before the Mayor in virtue of this Act, shall neglect or refuse to appear at the time and place specified in the Summons, or if any person appearing in obedience to any such Summons shall refuse to be examined or to answer any question that may be put to him in the course of his examination, it shall be lawful for such Mayor to enforce the attendance of such person, or to compel such person to answer, as the case may require, by the same means as are used by Justices of the Peace for such purposes in other cases.

4. Any person guilty of false swearing under this Act shall be guilty of perjury, and subject to all the pains and penalties therefor.

5. In case of the absence or inability of the Mayor to attend, any two of the City Councillors of the said City may act in his stead.

### CAP. LIV.

#### An Act to enable the City Council of the City of Fredericton to raise Funds to discharge the Debt of the said City.

##### Section.

1. City Council authorized to issue Debentures to amount of £2,000 to pay City debts
2. City Clerk to report and record the numbers and dates
3. Condition, and authentication of the Debentures.
4. To be negotiable as promissory notes.
5. Pledge of City faith and credit and revenues for redemption.

##### Section.

6. No Debenture to issue for interest or deficiency of ordinary income.
7. Receipt and application of proceeds of Debentures.
8. Annual assessment for principal and interest.
9. Application of proceeds of such assessments.
- Schedule.

Passed 9th April 1860.

WHEREAS the Debt of the City of Fredericton has been accumulating for some years, and has now reached an amount