

Be it further enacted, That it shall be lawful for any Justice, Sub-Collector, Preventive Officer, or Constable aforesaid, on view, and for any Constable or other person by virtue of a warrant to be issued as aforesaid, to seize any net or seine, and to destroy any weir or other erection or contrivance used or erected in contravention of the said recited Act, and all such nets and seines shall be forfeited and disposed of in manner provided by the fifth section of this Act.

Manner of recovering penalties, and in default term of imprisonment.

VII. All forfeitures and penalties imposed by this or the said recited Act shall be recovered, with costs, in a summary manner, before any Justice of the Peace, for which purpose such Justice shall have full power to summon or arrest the offender, and to compel all witnesses, either by summons or warrant, to appear before him on such trial; and upon conviction of such offender, such Justice shall issue his warrant to cause such seines, nets, or other contrivances so illegally used to be sold at public auction, or, where permitted under the preceding section of this Act, destroyed; and in default of payment of such penalty as may be imposed, and costs, by the party convicted, such Justice shall issue his warrant to any constable or other person to arrest and imprison such convicted offender for a period not exceeding twenty days.

Disposal of penalties and forfeitures.

VIII. All penalties and forfeitures under this or the said recited Act, and all proceeds thereof when recovered, shall be paid to the party informing against and prosecuting such offender to conviction.

Convictions not to be quashed for want of form, &c.

IX. No conviction or proceeding by any Justice or other officer under this Act shall be quashed or set aside for want of form, so long as the same shall be substantially in accordance with the true intent and meaning of this Act.

This Act not to interfere with rights protected by Treaty.

X. Provided always, That nothing in this Act contained shall in any way affect or interfere with the rights and privileges granted by Treaty to the subjects or citizens of any State or Power in amity with Her Majesty.

Ninth section of the Salmon Fishery Act repealed.

XI. The ninth section of the said recited "Act for the Protection of the Salmon Fishery" is hereby repealed.

No. 6.

*Lord Tenterden to Mr. Herbert.*

Sir,

*Foreign Office, March 4, 1879.*

WITH reference to your further letter of the 24th ultimo, I am directed by the Marquis of Salisbury to state to you that, as it appears that of the enactments which it is proposed that the Magistrate at Fortune Bay should enforce those only relating to "close time" and to Sunday fishing have been made subsequent to the date of the Treaty of Washington, and that, as the United States' Government have not hitherto objected to the former, and may be expected to continue to refrain from doing so, the enactment in question being for the common interest of the preservation of the fishery, whilst they have protested against the latter, I am to suggest, for the consideration of Sir Michael Hicks Beach, that the proposed instructions should proceed, with the exception of the enforcement of the law prohibiting Sunday fishing, which it would be desirable to suspend for the present.

I am, &c.  
(Signed) TENTERDEN.

No. 7.

*The Marquis of Salisbury to Sir E. Thornton.*

(No. 32.)

Sir,

*Foreign Office, March 8, 1879.*

I TRANSMIT to you herewith, for your information, printed correspondence in regard to certain occurrences at Fortune Bay, Newfoundland, in January 1878.

I am, &c.  
(Signed) SALISBURY.

No. 8.

*Mr. Herbert to Lord Tenterden.—(Received March 20.)*

Sir,

*Downing Street, March 19, 1879.*

WITH reference to your letter of the 4th instant, and to previous correspondence respecting the proposed instructions to the Magistrate appointed to proceed to Fortune