

fore enacted, &c., that the channels or main water-courses of the several rivers in the said county of Cornwallis, and within the extent aforesaid of the said county of Northumberland, shall at all times be left open and free of obstruction of whatsoever kind; and where no channel can be ascertained, then one-third the breadth of the river, comprising the deepest water thereof or main water-course, shall be so left open and free, under the penalty of five pounds currency, recoverable from the person or persons who shall have caused such obstruction.

tion up the rivers, to their spawning places.  
Penalty.

III. And be it further enacted, &c., that it shall be the duty of each and every Justice of the Peace, officer of militia and peace officer, in the said counties respectively, on view or on complaint to him made, that any net or other obstruction hath been placed, and is in any river in his neighbourhood, contrary to the intent and meaning of this Act, and in a manner manifestly prejudicial to the salmon fishery in such river, forthwith to remove, or cause to be removed, such net or other obstruction.

Duty of the justice, &c., on complaint made that nets have been placed contrary to this Act.

IV. And be it further enacted, &c., that the fines and forfeitures imposed by this Act, may, within three months after the commission of the offence, but not afterwards, be prosecuted and recovered in a summary manner before any Justice of the Peace; and that the testimony on oath of one credible witness, other than the prosecutor or informer, shall be sufficient to convict any person offending against this Act.

Fines and forfeitures recoverable in a summary manner.

V. And be it further enacted, &c., that every conviction before any Justice of the Peace, that may take place under and by virtue of this Act, shall be drawn up in the form prescribed in the Appendix to this Act. (Letter A.)

Conviction, how to be drawn up.

VI. And be it further enacted, &c., that for each and every summons, including the information or plaint, that may at any time issue, in virtue of this Act, from any Justice of the Peace, no greater sum than one shilling, current money aforesaid, shall be demanded, charged, or paid, and for each and every subpoena that may issue to compel the attendance of any necessary witness, no greater sum than nine pence, current money aforesaid, including the copy that may be served upon such witness, shall be demanded, charged or paid; and for each and every conviction, including the entry of the same on the register as aforesaid, no greater sum than one shilling, current money as aforesaid, shall be demanded, charged, or paid; and for a warrant of distress no greater sum than nine pence, current money aforesaid, shall be demanded, charged, or paid: nor shall any Justice of the Peace claim, exact, or receive, under any cause or pretext whatever, any greater recompense or fee, with respect to any such summons, subpoena or copy of subpoena, conviction or entry thereof, as aforesaid, or warrant of distress, or for any service or extra service in relation with the same, than is hereby above allowed and specially authorised.

Fees to the justices of the peace.

VII. And be it further enacted, &c., that, for the services of any constable or peace-officer, in and about any prosecution under or in virtue of this Act, no greater recompense or remuneration shall be allowed than is hereby specified, that is to say: for the service and certificate thereof of every summons, nine pence, current money aforesaid; for the service and certificate thereof of every copy of a subpoena, nine pence, current money aforesaid; for levying any penalty under and by virtue of this Act, seven shillings and six pence, current money aforesaid; and these allowances shall be exclusive of mileage, at the rate of one shilling for each and every league which such constable or peace-officer must, in the due execution of such warrant of distress, or of any other duty by him to be performed under this Act, necessarily and unavoidably travel from his home or domicile (distances in returning from the place of service, seizure or sale, not counted), and which mileage shall be in lieu of all travelling expenses.

Fees allowed to the constable.

VIII. And be it further enacted, &c., that the fines and forfeitures by this Act imposed, shall, in case of non-payment, be levied by distress and sale of the goods and chattels of the offender, by virtue of a warrant to this effect, under the hand of the Justice of the Peace before whom the conviction shall have taken place, directed to any constable or peace-officer; and the overplus of money, if any, arising from the sale, after deducting the penalty and costs, shall be returned to the offender.

Fines and forfeitures, how to be levied.

IX. And be it further enacted, &c., that one moiety of the fines and forfeitures by this Act imposed, shall go to the prosecutor or informer, and the other moiety shall await the disposal of the Provincial Legislature, for the public uses of the province, and be accounted for to His Majesty, his heirs and successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, his heirs and successors, shall be pleased to direct.

One moiety of the fines to go to the prosecutor, and the other moiety to be at the disposal of the Legislature.

X. And be it further enacted, &c., that nothing in this Act contained shall in any manner prejudice the rights of His Majesty, or of any body politic or corporate, or any person or persons whomsoever, with respect to any of the rivers in the said county of Cornwallis and within the extent aforesaid of the said county of Northumberland, those in this Act mentioned excepted.

Saving of His Majesty's rights, &c.