

penalties; how as a summary suit, and any person may prosecute for any violation of this chapter or of any order of sessions made thereunder, and the penalties when recovered shall go to the prosecutor.

Process to state 19. Where proceedings are before two justices the following form of complaint. summons may be used, but any process which shall substantially state the violation complained of shall be sufficient.

Form of Summons.

To any of the constables ———

Summons. You are hereby commanded to summons A. B. of ———, in the county of ———, to appear before us at ———, on the ——— day of ——— next, to answer to the suit of C. D., who says that the said A. B. hath violated the provisions of the acts made for the protection of the river fisheries in not providing a sufficient waste gate or slope in his milldam, or in not keeping the waste gate of his milldam open, or in allowing the waste gate or slope of his milldam to be so obstructed as to prevent the free passage of fish in unlawfully setting nets, weirs or seines, or in spearing salmon.

Witness our hands this ——— day of ———, A. D. 18—

E. F. (seal.)

G. H. (seal.)

Conviction. The conviction may be in the following form:—"The within named A. B. having been duly summoned under the annexed writ, and having been duly convicted of having violated the chapter of the revised statutes "of river fisheries," as therein mentioned, we hereby give judgment for the plaintiff for the sum of ——— with his costs.

E. F. (seal.)

G. H. (seal.)

CHAPTER 35.

An Act to amend Chapter 95 of the Revised Statutes, "Of River Fisheries.

Nova Scotia

(Passed the 2nd day of May, A. D. 1865.)

Be it enacted by the Governor, Council, and Assembly, as follows :

Fish-way re- 1. In all dams or obstructions now erected, or hereafter to be erected quired in all across any river or stream frequented by salmon or gaspereaux, either dams. one third of the main channel shall be left open, or a fish ladder shall be placed and kept therein.

Fish ladder, 2. Such fish ladder shall have a slope of not more than one foot in description of. seven, shall have an opening of not less than three feet in width at the top of the dam, and shall be so placed that there shall at all times be