

with any Net or Seine of any kind or description, any Salmon in any of the Rivers, Streams, Lakes, or Water-courses in this Province, above where the tide usually rises and falls.

II. *And be it enacted*, That hereafter no Nets for the purpose of taking Salmon above the usual rise and fall of the Tide in any such River, Stream, or Water Course, shall be set or placed, except on one side thereof at a time, under the regulations of the Sessions as hereinafter mentioned. Setting of Nets above tide mark.

III. *And be it enacted*, That hereafter no Stake, Seine, Weir, Net of any kind or description, or other contrivance whatever for the purpose of taking Salmon, shall be set or placed within the space of One Quarter of a Mile next below any Mill, or other Dam erected across any such River, Stream, or Water Course. Nets, &c., below Mill or Dam.

IV. *And be it enacted*, That no Net when set for the purpose aforesaid, shall in any case be extended more than one-third of the distance in a straight line across any such River, Stream, or Water Course. Net, how far to extend.

V. *And be it enacted*, That in every County or District of this Province, the Justices in their General Sessions of the Peace, and before the next Sittings of such General Sessions in any such County or District, any Special Sessions at which not less than Five Justices shall be present, shall be, and they are hereby respectively authorized and empowered to make Rules and Regulations, to be in force within such County or District, in relation to the side of any River, Stream, or Water Course, above the rise and fall of the Tide, on which any such Stake, Weir, Seine, Net, or other contrivance for the purpose aforesaid, shall be set or placed, and touching the setting or placing thereof on each side of any such River, Stream, or Water Course alternately; and also in relation to the setting of such Stakes, Nets, Seines, Weirs, or other contrivances as aforesaid, in any such River, Stream, or Water Course, below where the Tide flows, or in any Harbor or Creek at the mouth thereof. Sessions to make Rules and Regulations.

VI. *And be it enacted*, That every person who shall in any respect violate the provisions of this Act, or any of such Rules and Regulations so to be made as aforesaid, shall forfeit and pay for every such offence a penalty of not less than One Pound, nor more than Ten Pounds, in the discretion of the Justices before whom the same shall be tried, which penalty shall be sued for and recovered, with costs of suit, by and in the name and for the use of any person who will sue for the same, before any two Justices of the Peace for the County or District where the offence shall be committed, in the same manner as if it were a private debt due to the person so suing therefor; and if, upon conviction, the amount of such penalty and costs be not paid or recovered by due course of Law, the party offending shall be forthwith committed to the County Gaol, to be there imprisoned for one day for every Five Shillings of such amount: *Provided always*, That any party dissatisfied with the decision of such Justices, may appeal to the Supreme Court, in the same manner, and under the same regulations and restrictions, as in ordinary cases of debt; and such appeal shall be in like manner prosecuted and determined, and the taking and perfecting such appeal shall stay all proceedings upon the judgment until the same be determined. Penalties for infringement of Rules—recovery thereof, &c.

VII. *And be it enacted*, That in addition to and over and above any penalty incurred hereunder, or under any of the said Rules or Regulations, all Spears and other Implements, Canoes, Boats, Nets, Seines, Weirs, or other contrivances, used or employed in or about or preparatory to the taking of Salmon, contrary to the provisions of this Act, or of any of such Rules or Regulations, shall be liable to forfeiture, and may be seized upon in the first instance under Warrant from such Justices, and detained until the trial of the offender, when the same may be by the Justices declared forfeited, and sold at Public Auction; and the proceeds thereof, after deducting expenses, paid to the person who shall have sued for the penalty incurred in relation thereto, or otherwise applied to the use of the Poor of the Township. Proviso.
Canoes, Nets, &c. used in taking Salmon forfeited.