

ing removed the same, to require the owner to appear, by public advertisement, to pay the penalty and charges incurred.

Justice of the Peace, Officer of Militia or Peace Officer, having removed the same, shall by an advertisement posted up in the most public place nearest to that where such removal shall have been made, require the owner or owners of the net, seine or other obstruction so as aforesaid removed, to appear within ten days, next after the day of publication, and pay the penalty and charges incurred, and that in default thereof, such net, seine or other obstruction as aforesaid, removed, will be thereafter sold in satisfaction of the penalty and charges incurred.

Regulations to be observed in cases where persons do not appear to claim the net, &c.

XVI. And be it further enacted by the authority aforesaid, that in case no person appear to claim such net, seine or other obstruction within ten days after such Public Notice, the said net, seine or other obstruction shall be sold at Public Auction, by any Justice of the Peace, Officer of Militia or Peace Officer, (public notice of the time and place of sale being as aforesaid given by at least ten days next before the day of sale) to satisfy the penalty incurred, and the costs and charges of removal and notification as aforesaid, and the surplus, if any there be, shall be deposited in the hands of the Clerk of the Peace, for the said Inferior District of Gaspé, or for the District of Québec, as the case may be, to be returned to the owner of such seine or net, provided he appear to claim the same within one year after such sale; and should he not so appear and claim such surplus, the same shall go to His Majesty, for the use of the Province.

No greater sum to be exacted or received than the penalty incurred by this Act.

XVII. Provided always, and be it further enacted by the authority aforesaid, that no other or greater sum shall be exacted or received, under any pretext whatever, from the owner of any such net, seine or other obstruction removed as aforesaid, than the penalty incurred in virtue of this Act, and the expenses really and *bonâ fide* incurred in the removal, (the time and trouble of such Justice of the Peace, Officer of Militia or Peace Officer, not included, no compensation therefor being by this Act allowed,) and the Justice of the Peace, Officer of Militia or Peace Officer, having removed, as aforesaid, such net, seine or other obstruction as aforesaid, shall, upon payment or tender of the penalty and expenses incurred as aforesaid, by or on the part or behalf of the owner, be bound forthwith to restore such net, seine, or other obstruction, to the owner thereof, or person for him acting, under the penal sum of twenty shillings, current money of this Province, from him recoverable as damages by the owner in the Provincial Court for the said Inferior District, or in the Court of General Session of the Peace for the said Inferior District, or (with respect to either of the aforesaid Counties of Cornwallis or Northumberland,) in any Court of competent jurisdiction