

intended; and also may place, work and manufacture such materials on the grounds near the place where any such work shall be made, repaired or altered, and also may construct, make and do all other matters and things convenient and necessary for the improving, completing, and using the said navigation according to the intent and meaning of this Act, they the said Commissioners doing as little damage as may be in the execution of their powers, and making compensation in the manner herein before prescribed for all damage sustained by the proprietor or occupier of any land taken, used, or prejudiced by virtue of this Act.

Commissioners to lay before the Legislature a detailed account of their Proceedings.

VII. And be it further enacted by the authority aforesaid, that the said Commissioners shall within fifteen days after the opening of the next Session of the Provincial Legislature, lay before the several branches thereof, a detailed account of their proceedings under the authority of this Act, and of the manner in which the Monies hereby appropriated shall have been laid out and expended, with copies of such surveys, plans and estimates, as they shall have caused to be made for the purposes aforesaid.

Application of the Money to be accounted for to His Majesty.

VIII. And be it further enacted by the authority aforesaid, that the due application of the Monies hereby appropriated, shall 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 direct.

C A P. XXII.

An Act to repeal in part an Act passed in the ninth year of His late Majesty's Reign, chapter forty-two, intituled, "An Act relating to the Fisheries in the County of Gaspé.

[31st March, 1831.]

Preamble.

WHEREAS experience hath shewn that the provisions of the ninth and tenth sections of an Act of the Provincial Parliament of Lower Canada, passed in the ninth year of His late Majesty's Reign, intituled, "An Act relating to the Fisheries in the County of Gaspé," are detrimental to the interests of the inhabitants of the said County, wherefore it is expedient to repeal the same;— Be it therefore enacted by the King's Most Excellent Majesty, by and with the

advice

9th and 10th
Sections of Act
9, Geo. IV.
chapter 42 re-
pealed.

advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, “ An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty’s Reign, intituled, ‘ *An Act for making more effectual provision for the Government of the Province of Quebec, in North-America,*’ and to make further provision for the Government of the said Province”: And it is hereby enacted by the authority of the same, that the ninth section of the said Act of the Provincial Parliament of Lower Canada, passed in the ninth year of His late Majesty’s Reign, intituled, “ An Act relating to the Fisheries in the County of Gaspé,” which section is in the words following:—“ And whereas codfish pickled in hogsheads, butts or casks, and afterwards dried and cured as and for merchantable fish, are not of that quality and description, although they may so appear to the person employed as culler, and in this respect grievous frauds may be and are practised, to the great prejudice of traders resorting to the said County and purchasing codfish for exportation; for the preventing of which abuse, be it therefore further enacted by the authority aforesaid, that no dried codfish which may so have been previously pickled in hogsheads, butts or casks, shall be sold or offered for sale nor exported from the said County, and any and every person herein offending shall for every such offence in disobedience hereunto, incur a penalty not exceeding ten pounds currency,” and that the tenth section of the said Act, which section is in the words following:—“ And be it further enacted by the authority aforesaid, that in all cases of seizure and sale of any codfish green or dried, appertaining to any fisherman in the said County, the *dernier equippeur*, planter or trader, having that season, that is to say between the first of April, and the first of December inclusively, furnished the fisherman with the fishing gear, necessary outfits and supplies to enable him to commence and carry on his fishery, shall for the amount or value of such gear, outfits and supplies, so furnished, for and during the same season, have a privilege and be paid from the proceeds of the sale of such codfish, in preference to the creditor seizing and selling the same, and to all others” shall be and the same are hereby repealed.

II. Whereas in the said Act herein before cited, no provision is made for the appointment of Inspectors of Fish in the District of Gaspé, and that the interests of Commerce require the appointment of such Inspectors;—Be it therefore further enacted by the authority aforesaid, that it shall be lawful for the Governor, Lieutenant Governor, or person administering the Government, by an Instrument under his hand and seal to appoint an Inspector or Inspectors of Fish, in and for the said District of Gaspé, to carry into effect, and act in conformity with the provisions of the said Act passed in the ninth year of the Reign of His late Majesty, intituled, “ An Act relating to the Fisheries in the County of Gaspé.”

Governor to
appoint In-
spectors of
Fish in the
District of
Gaspé.

To take an oath.

III. And be it further enacted by the authority aforesaid, that every Inspector before entering on the duties of his office, shall make oath before the Clerk of the Provincial Court for the said District, well and duly to perform the duties of his office of Inspector of Fish, which oath shall by the said Clerk be recorded, and a copy of the entry delivered to such Inspector upon his requiring it and paying for such entry and copy, the sum of two shillings currency, and before proceeding to make any inspection under the authority of this Act, such Inspector shall produce and exhibit such certificate upon being thereunto required.

Inspector to conform himself to the Provisions of the former and of this Act.

IV. And be it further enacted by the authority aforesaid, that in the execution of the duties of his office, every such Inspector shall in all things act according to the true intent and meaning of this Act and of the Act herein before cited.

Penalty on Inspector refusing or neglecting to do his duty.

V. And be it further enacted by the authority aforesaid, that every such Inspector or who upon the demand of any person to him made, either personally or by a requisition in writing, left at his Domicile, in charge of some grown person, between sun rise and sun set, on a day not being a Sunday or other Holiday, shall refuse or neglect to proceed to make the required inspection within two hours next after having been duly required so to do (unless he be then employed in Inspecting other Fish elsewhere) shall incur a penalty of five pounds currency, in addition to any damages which may be awarded to the party injured by such refusal or neglect, and such penalty may be recovered at the suit of such party before the Provincial Court for the said District.

Fees allowed to the Inspector.

VI. And be it further enacted by the authority aforesaid, that each Inspector appointed under the authority of this Act shall be entitled to have and receive from the persons employing them for their respective services the rates and allowances following—that is to say ; For Inspecting and stamping each Tierce one shilling and nine-pence currency ; for each half Tierce nine pence currency ; for each Barrel, one shilling currency ; for each half Barrel, nine-pence currency, which several rates shall cover and include all remuneration for his trouble, and all expences of cooperage which such Inspector may incur in the execution of his said duty ; and for each hundred weight of dry Cod Fish, one penny currency ; for every draught of green Cod Fish, three-pence currency, and for packing and pressing every Hogshead or other vessel containing dry Cod Fish, and stamping the same, three-pence currency.

Fines, how recoverable.

VII. And be it further enacted by the authority aforesaid, that all fines hereby imposed, shall be sued for before the General Quarter Sessions of the Peace, or the Provincial Court for the said District, and be recovered on the oath of one or more credible witness or witnesses other than the informer, (which oath such Court is hereby

Proviso.

hereby authorized to administer,) and in default of immediate payment, shall be levied with costs by distress and sale of the Defendant's goods and chattles, and one moiety of every such fine shall be to the use of His Majesty, His Heirs and Successors, and the other moiety shall belong to the informer. Provided always, that every such suit shall be commenced within three months after the time at which such offence shall have been committed, after the expiration of which term no such suit shall be commenced.

Application of the Money to be received as His Majesty's moiety of any Fines &c. to be accounted for to His Majesty.

VIII. And be it further enacted by the authority aforesaid, that the due application of all Monies received or levied as His Majesty's moiety, of any fines incurred under this Act, shall 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 direct.

Continuance of this Act.

IX. And be it further enacted and declared, that this Act shall continue and be in force until the first day of May, one thousand eight hundred and thirty three and no longer.

C A P. XXIII.

An Act to make more effectual provision for the security of the Titles to Real Property in the Inferior District of Gaspé.

[31st March, 1831.]

Preamble.

WHEREAS doubts have arisen respecting the legal effect of the adjudications entered in the Register kept by the Registrar of the Commissioners appointed by virtue of an Act passed in the fifty-ninth year of the Reign of His Majesty King George the Third, intituled, "An Act to secure the inhabitants of the Inferior District of Gaspé in the possession and enjoyment of their Lands," and of the officially certified copies of such entries; And whereas it would be of advantage to the Inhabitants of the said District, that the said adjudications should be deposited of record in the Office of the Provincial Court of the said District:— Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "*An Act for making more effectual provision for the Government of the Province of Quebec in North-America*, and to make further provision for the Government of
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