

Drifting, sweeping or spearing for Salmon or having Nets set between sunset on Saturday and sunrise on Monday contrary to the Act 39 G. 3, c. 5.

Penalty.

Application.

Setting or drifting with Nets meshed to catch Gilt to subject to same penalty as for using a Salmon Net.

Not to interfere with the Herring Fisheries.

Limitation.

II. Be it enacted, That from and after the passing of this Act, any person or persons who shall drift, sweep or spear for Salmon or Grilts contrary to the provisions of this Act, or any person or persons who shall set or allow any net to remain set in any part of the Bay, Harbour, River or Branches of the Miramichi, between sunset on Saturday night and sunrise on Monday morning, contrary to the provisions in that respect of an Act made and passed in the thirty ninth year of the Reign of His Majesty King George the Third, intituled *An Act for regulating the Fisheries in the County of Northumberland*, such person so offending shall for each and every of the offences above enumerated, forfeit and pay the sum of five pounds upon conviction thereof, upon the oath of one or more credible witness or witnesses, before any two of Her Majesty's Justices of the Peace for the said County, and levied by warrant of distress and sale of the offender's goods, rendering the overplus, (if any,) after deducting the costs and charges, to such offender; and for want of goods and chattels whereon to levy the said fine, costs and charges, such offender or offenders shall be imprisoned without bail or mainprize for a term not less than twenty days nor exceeding thirty days; one half of which penalty, when recovered, to be paid to the informer or person prosecuting for the same, and the other half to the Overseers of the Poor of the Parish or Town within the limits of which such offence shall be committed, to be applied to the use of the Poor of such Town or Parish.

III. And be it enacted, That if any person or persons shall set, drift or sweep with any net or seine, the meshes of which shall be of a size to catch gilt and not salmon, and shall with such net or seine catch gilt in drifting or sweeping, or by setting such net, he or they shall be liable to the penalties of this Act in like manner as if he or they should be found drifting or sweeping with a salmon net; to be recovered and applied in the same manner as is mentioned and prescribed in the second section of this Act: Provided always, that nothing in this section contained, shall affect or be construed to affect an interference with the laws now in force for the protection of the Herring Fisheries in the said County, anything in this Act contained to the contrary in anywise notwithstanding.

IV. And be it enacted, That this Act shall continue and remain in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. LXXII.

An Act to enable the Justices of the Peace of the City and County of Saint John to raise by Loan a further sum of money towards paying off the County Debt.

Passed 27th March 1845.

Preamble.

7 V. c. 40.

‘ WHEREAS there remains due by the Justices of the Peace for the City and County of Saint John a larger sum of money than was authorized to be borrowed by the Act of the General Assembly, intituled *An Act to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the Debts now due by the County of Saint John*, and it is expedient that the said Justices should be authorized to borrow a further sum not exceeding one thousand five hundred pounds;’

Justices in Sessions authorized to borrow the further sum of £1,500 in manner prescribed by 7 V. c. 40.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace, to raise by Loan a further sum of money, not exceeding one thousand five hundred pounds, in like manner as is provided in and by the said Act.

II.

II. And be it enacted, That for the purpose of paying off the amounts which may be borrowed by this Act, as well as the sums borrowed under the before mentioned Act, it shall and may be lawful for the said Justices, and they are hereby authorized and required, instead of the sum of five hundred pounds authorized to be assessed by the fourth section of the before mentioned Act, to make a rate and assessment of the sum of seven hundred and fifty pounds, besides the charge for assessing and collecting the same, to be assessed, levied, collected and paid in the same manner as is provided in and by the before mentioned Act, and to be applied and appropriated by the said Justices, first in paying off the annual interest which may accrue on the said respective loans, and any surplus in reducing the principal in the manner provided in and by the before mentioned Act.

Assessment of £750 and expenses to be made annually to pay off the Loans.

III. And be it enacted, That the Treasurer of the County of Saint John shall be entitled to the sum of one pound five shillings per centum for his services in receiving and paying all the monies ordered to be assessed by and under the provisions of this Act, and no more.

Compensation to the Treasurer.

CAP. LXXIII.

An Act to facilitate the Settlement of Accounts between the Justices of the Peace for the City and County of Saint John and John R. Partelow, Esquire, late County Treasurer.

Passed 27th March 1845.

WHEREAS certain differences and disputes have arisen and are depending between the Justices of the Peace in and for the City and County of Saint John and John R. Partelow, of the same City, Esquire, late Treasurer of the County of Saint John aforesaid, relative to the Public Accounts of the said County: And whereas it is deemed advisable that power should be given by Law, to enable the said Justices to refer and submit the said matters in dispute to arbitration;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Justices, at any General Sessions of the Peace in and for the said City and County, or at any Special Sessions to be for that purpose called and holden by an order of Sessions to be by them passed and entered on their Minutes, to order and direct a reference to be made to arbitration of the said Accounts in dispute, to such persons and in such manner and upon such terms and conditions as to them the said Justices may seem fit, and as may be agreed upon mutually between them and the said John R. Partelow; and to this end the said Justices are hereby empowered, by the style and designation of 'The Justices of the Peace of the City and County of Saint John,' to enter into, conclude and execute, under the Seal of the Court of Sessions for the City and County of Saint John, and the signature of the Clerk of the Peace for the said City and County, and in the same style and designation to receive from the said John R. Partelow, any such agreements, bonds, covenants or other writings as may be requisite to submit and refer the said Accounts in dispute to arbitration as aforesaid, in such manner and in such terms as may be agreed upon mutually between the parties.

Justices in Sessions authorized to refer Accounts in dispute with J. R. Partelow to arbitration.

Bonds, &c. may be entered into.

II. And be it enacted, That the award to be made in pursuance of such arbitration shall be binding and obligatory upon the said Justices and the said John R. Partelow respectively; and it shall and may be lawful for the said Justices to bring and institute any action or proceeding on the said bond and award, or either of them, against the said John R. Partelow, his Executors or Administrators, in any Court or Courts of Record in this Province, under the style and designation

Award to be binding on both parties.

Justices may institute an action on the award or otherwise settle the same.