

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1794. Brookville: Christopher Sower, Printer to the King's Most Excellent Majesty, 1794.

34 George III – Chapter 3

An Act to Explain and Amend an Act intituled “An Act for regulating the Fisheries in the different Rivers, Coves, and Creeks of this Province.”

Whereas, in and by an act made and passed in the thirty third year of His Majesty's reign, intituled “An Act for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province,” it is enacted “That no net shall be set in the river Saint John below the Boarshead or in the harbour of Saint John more than twenty fathoms in length”: And whereas, doubts have arisen whether under the said law more than one length of such nets may be set, for preventing such doubts in future—

I. Be it enacted, by the Lieutenant Governor, Council and Assembly, That from and after the passing of this act, only one length of the nets herein before described, shall be set in the same line running into the water in any part of the river Saint John below the Boarshead or in the harbour of Saint John, and if any person shall set any length of net running into the water in the same line with the net which is permitted to be set by the said herein before recited act, every person so offending shall for every offence forfeit and pay the sum of ten pounds, to be recovered, paid and applied in the same manner, and to the same uses as the first penalty mentioned in the said herein before recited act can or may be recovered, paid and applied. And whereas, in and by the said herein before recited act, it is enacted, “That no nets shall be placed within less than fifty feet of each other, measured upon a strait line running parallel, as near as may be, with the shore in any of the places in the said act for that purpose particularly mentioned:” And whereas, doubts have arisen whether the distances between such nets may be marked and ascertained, upon more than one such line parallel with the same shore—for preventing such doubts in future—

II. Be it enacted, That the distances between such nets shall be marked and ascertained upon one such line, parallel with any part of the shore, in the river Saint John below the Boarshead or in the harbour of Saint John.

III. And be it further enacted, That where no goods or chattles can be found whereon to levy, by warrant of distress and sale of the offenders goods, the fines and penalties inflicted in this and the said herein before recited act, it shall and may be lawful for the Justice and Justices and the Court before whom or which the conviction may be, to commit the offender or offenders to the Public Gaol in the county, for any time not exceeding thirty nor less than ten days, as such Justice or Justices or Court Shall respectively think fit.

IV. And be it further enacted That the said herein before recited act, and every clause, matter and thing therein contained shall be and remain in full force, any thing herein before contained to the contrary notwithstanding.