

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1820. Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1820.

60 George III – Chapter 21

An Act to prevent the taking of Fish in the different Harbours and Rivers of this Province, with Drift Nets. Passed the 29th of March 1820.

Whereas the practice of drifting for fish has been found greatly injurious to the fisheries in this Province, notwithstanding the restrictions and regulations made thereon by the several Acts of the General Assembly—

I. Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That from and after the passing of this Act, no person or persons shall use any drift net or nets, for taking any fish, in any of the harbours, creeks, coves, or navigable rivers of this Province, or within the harbour of St. John, or within two miles around Partridge Island, at the entrance of the same harbour; and any person or persons so using any drift net or nets, for the purpose aforesaid, shall forfeit and pay the sum of ten pounds, upon due conviction thereof, by the oath of one or more credible witness or witnesses, before any two of His Majesty's Justices of the Peace in the County where such offence shall be committed, to be levied by warrant of distress and sale of the offender's goods and chattels, rendering the overplus, if any, to such offender; and twenty pounds for the second offence, to be recovered with costs, by action of debt, bill, plaint or information, in any Court of Record in this Province; and fifty pounds for the third and every subsequent offence, to be recovered, with costs, in the manner last mentioned: which penalties, on conviction, shall be paid to the informer.

II. And be it further enacted, That it shall be the duty of the Overseers of the Fisheries which have been already appointed, or which may hereafter be appointed by the Justices of the Peace in their General Sessions, held or to be holden in the respective Counties of this Province, pursuant to the authority given in and by the second section of the herein before recited Act, intituled "An Act for regulating the Fisheries in the different rivers, coves, and creeks, of this Province," to remove and seize any net or nets that shall be found drifting contrary to the provisions of this Act; and such Overseer or Overseers, who shall at any time wilfully and knowingly delay, neglect, or refuse, to perform the duty by this Act enjoined, to forfeit and pay the sum of ten pounds; to be sued for, recovered, and applied in the same manner as the penalty often pounds in the first section of this Act can or may be sued for, recovered, and applied.

III. And be it further enacted, That nothing in this Act shall extend, or be construed to extend, to prevent any Overseer or Overseers of the Fisheries, for any City or Parish in this Province, from benefiting by the recovery of any of the penalties by this Act inflicted, provided such Overseer or Overseers shall be the first to take notice of any net or nets so used in drifting against the provisions of this Act.

IV. And be it further enacted, That such part and so much of an Act made and passed in the fiftieth year of His Majesty's Reign, intituled "An Act for the further regulation of the Fisheries, and for preventing their decay," and also such part and so much of an Act made and passed in the fifty-second year of His Majesty's Reign, intituled "An Act to alter and amend an Act, intituled an Act for the further regulation of Fisheries, and for preventing their decay," as allow of, and regulate the practice of using nets for taking fish by drifting, be, and the same are hereby repealed.