

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1845.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1845.

8 Victoria – Chapter 100

**An Act to prevent malicious injuries to Nets and Seines set for taking Fish in this Province.  
Passed 14th April 1845.**

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any person shall willfully and maliciously damage, cut, break or destroy any Net or Seine lawfully set or placed for the purpose of taking Fish in this province, or any tackle to such Nets or Seines belonging, and shall be thereof convicted before any one of Her Majesty's Justices of the Peace for County, or City and County, where the offence may be committed, either by the confession of the party offending, or on the oath of one or more credible witness or witnesses, every such person shall for each and every offence forfeit and pay a sum not exceeding five pounds nor less than twenty shillings, together with costs of suit, to be levied by warrant of distress and sale of the goods and chattels of every such offender; one moiety of which forfeiture, when recovered, shall be paid to the Overseers of the Poor of the Parish or the Commissioner of Alms House of the County, or City and County, where the offence may be committed, and the other moiety to be paid to the person who shall prosecute for the same; and for want of goods and chattels whereon the same can be levied, it shall and may be lawful to commit any such offender to the Common Gaol or House of Correction of the County, or City and County, where the offence may be committed, there to remain without bail or mainprize, and to be kept at hard labour, for a term not exceeding one month, unless such forfeiture and costs be sooner paid.

II. And be it enacted, That no person to whom, as prosecutor, any part of the penalty on conviction is hereby directed to be paid, shall, on that account, be prevented in consequence thereof from giving evidence as a witness on any prosecution, but such person shall be deemed and taken to be a competent witness, whose credibility shall be judged of by the Magistrate before whom such prosecution shall be had.