

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1862. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1862.

25 Victoria – Chapter 26

An Act in addition to Chapter 101, Title xxii, of the Revised Statutes, 'Of the Sea and River Fisheries.' Passed 23rd April 1862.

Section.

1. Duty of Wardens.
2. When herrings shall not be taken on spawning grounds.

Section.

3. Penalty.
4. Section 15, cap. 101, Title xxii, and 21 V. c. 32, repealed.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That it shall and may be lawful for the Governor in Council, in addition to the power and authority to them given in and by the sixth section of Chapter 101, Title xxii, of the Revised Statutes 'Of the Sea and River Fisheries,' to make regulations authorizing the Warden of the Fisheries, or the officer lawfully superintending the same, to seize and convey away, and after such proceedings as such regulations may direct, to forfeit, condemn and sell any nets, and every thing belonging or attached thereto, found in violation of such rules and regulations.
2. No herrings shall be taken between the fifteenth day of July and the fifteenth day of October in any year on the spawning ground at the southern head of Grand Manan, to commence at the eastern part of Seal Cove, taking in the two inner Islands, so called, at a place known as Red Point, thence extending westerly along the coast to the southern head of Bradford's Cove, and extending one mile from the shore; all nets or engines used for catching herring on the said ground within that period shall be seized and forfeited; and every person engaged in using the same shall be guilty of a misdemeanor, and be imprisoned for any term not exceeding three months, or fined in a sum not exceeding twenty five pounds.
3. Every person violating the preceding section shall, in addition to the pains and penalties thereby incurred, forfeit and pay for each and every offence a fine of not less than five pounds, nor more than twenty pounds, in the discretion of the Justices before whom tried, to be sued for and recovered before any two Justices of the County where the offence shall have been committed; the fines and penalties to be applied as is directed in and by the said recited Chapter.
4. That Section fifteen of the said recited Chapter, as also an Act made and passed in the twenty first year of Her Majesty's Reign, intituled *An Act to amend Chapter 101, of Title xxii, of the Revised Statutes, 'Of the Sea and River Fisheries,'* are hereby repealed.