

Fish-pounds not to be made on the St. Francis, nor Trout to be taken except in a certain way.

II. And whereas it is proper that the River St. Francis and its tributary Rivers and Streams should at all seasons remain open and unencumbered by fish pounds, so that Salmon may be left unmolested at and in ascending to their spawning places, and also that the Trout and other small fish when they run into the small streams and inlets for shade during the extreme heat of the summer, should not be taken with nets and baskets, or otherwise than by a single hook ; Be it therefore enacted, that it shall not hereafter be lawful for any person or persons to build any fish pounds in the River St. Francis, or in any of its tributary Rivers or Streams, so as in any way to obstruct the main channels by means thereof, within any of the said Counties, for the purpose of taking Salmon, or to take any Trout or other small fish, when they run into the small streams, brooks or inlets, within any of the said Counties for shade during the Summer months, with nets or baskets, or in any other way than by a single hook.

Penalty for offending against this Act.

III. And be it enacted, that any person offending against the provisions of this Act, shall, on conviction thereof before one or more of Her Majesty's Justices of the Peace, incur a penalty not exceeding two pounds currency, to be fixed by such Justice or Justices in his or their discretion, according to the circumstances of the case, which penalty, if not paid within eight days by the party convicted, shall be levied by distress and sale of the goods and chattels of such party under the warrant of such Justice or Justices of the Peace, to be issued after the expiration of the said eight days, and one moiety of such penalty shall belong to Her Majesty for the public uses of the Province, and the other moiety to the Prosecutor : Provided always, that if the party or parties so convicted shall fail to pay such penalty and costs, and no goods and chattels can be found belonging to the said party or parties whereof to levy the same, then, and in such case, the said party or parties shall be by the said Justice or Justices committed to the Common Gaol of the District, for a period not in any case exceeding eight days, unless the said penalty and costs be sooner paid.

Proviso.

C A P . XIV.

An Act to Exempt Vehicles conveying Manure from the Cities and Towns of this Province, from the payment of Tolls on Turnpike Roads, and for the purposes therein mentioned.

[9th December, 1843.]

Preamble.

WHEREAS, as well for the encouragement of Agriculture as for promoting the cleanliness and health of the several Cities and Towns

Towns in this Province by the removal of the filth and rubbish thereof, it is expedient that Vehicles carrying Manure from the said Cities and Towns to the Farms in the vicinity thereof be free from Toll at Turnpike Gates; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that each and every Vehicle laden solely with Manure, brought from any City in Lower Canada, or any City or incorporated Town in Upper Canada, and employed to carry the same into the Country parts for the purposes of Agriculture, and the horse or horses, or other beast or beasts of draught, drawing such Vehicle, shall, from and after the passing of this Act, pass Toll-free through any Turnpike Gate or Toll-gate on any Turnpike Road within twenty miles of such City or Town, as well in going from such City or Town as in returning thereto, if then empty,—whether such Turnpike Road and the Tolls thereon belong to the Province, or to any local or Municipal authority, or Body of Trustees or Commissioners for local purposes, or to any incorporated or unincorporated Company, or to any other body, person or persons whatsoever, and any Statute, Ordinance or Law to the contrary notwithstanding.

Vehicles laden solely with Manure brought from the Cities and Towns of this Province to be Exempt from Toll at Turnpikes within twenty miles of such Cities or Towns.

II. And be it enacted, that all persons going to or returning from Divine Service on any Sunday or Obligatory Holiday, in or upon and with their own carriages, horses or other beasts of draught, shall, as shall also their families, and servants being in or upon and with such carriages, horses or other beasts of draught, pass Toll-free through any Turnpike or Toll-gate on any Turnpike Road in this Province; any thing in any Act, Ordinance or Law to the contrary notwithstanding.

No Tolls to be collected on Sundays from persons going to Church.

III. And be it enacted, that no Vehicle laden or unladen, horses or cattle belonging to the proprietor or occupier of any lands divided by such Turnpike Road as aforesaid, shall be liable to Toll on passing through any Toll-gate on such Road (at whatever distance the same may be from any City or Town) for the sole purpose of going from one part of the lands of such proprietor or occupier to another part of the same: Provided such vehicle, horses or cattle do not proceed more than half a mile along such Turnpike Road, either in going or in returning, for farming or domestic purposes only.

No Tolls to be charged for going on a Turnpike from one part of a person's land to another within half a mile.

IV. Provided always, and be it enacted, that nothing in the foregoing enactments of this Act shall extend or be construed to extend to any Toll Bridge, the tolls on which are vested in any party other than the Crown.

Act not to extend to any private Toll Bridge.