

LAWS OF PRINCE EDWARD ISLAND.

An Act for the better protection of the Salmon Fisheries, and to Repeal a certain Act therein mentioned.

[Passed April 19, 1869.]

WHEREAS, it is deemed expedient more carefully to protect and foster the Salmon Fisheries of this Island: Be it enacted by the Administrator of the Government, Council and Assembly, as follows:—

I. It shall and may be lawful for the Lieutenant Governor, or other Administrator of the Government of this Island, for the time being, in Council, to nominate and appoint one or more fit and proper persons to oversee and protect the Salmon Fishery in each of the following rivers, that is to say: Midgell, Morell, Dunk and Winter Rivers.

II. And every such person so appointed, shall be entitled to receive from the Treasury of this Island, the yearly sum of six pounds, upon producing a certificate on or before the last day of January in each year, from two of the nearest Justices of the Peace, stating that to the best of their knowledge and belief, he has faithfully performed the several duties enjoined on him by this Act.

III. No Salmon shall be taken or caught on the coast of this Island, nor in any of the Bays, Rivers or Harbors, or in any fresh water stream or river thereof, between the first day of September and the last day of December in any year, nor between sunset on any Saturday night and sunrise on the following Monday morning; nor shall any person sell or offer for sale, purchase, or have in his possession, between the said mentioned days, any Salmon caught between the said first day of September and the said last day of December in any year.

IV. It shall be the duty of the several persons to be appointed Fish Protectors or Water Bailiffs under this Act, to carefully supervise the river or rivers for which they are appointed, and to prosecute any person or persons found taking or attempting to take, destroying or attempting to destroy, any Salmon from said river or rivers; and also to prosecute any person buying, selling, or having in his or her possession, Salmon caught within the time above mentioned; and any such water bailiff may lawfully enter and search the premises of any person who, he has cause to suspect, has been guilty of a breach of this Act.

V. Any person guilty of a breach of any of the provisions of this Act, shall for each of-

fence forfeit a sum not exceeding five pounds, nor less than one pound, the same to be recovered with costs, on the oath of one or more credible witness or witnesses, before any two of Her Majesty's Justices of the Peace for the County wherein such offence is committed, and the said fine and costs shall be paid to the party who may sue for and recover the same, and if sufficient goods and chattels whereon to levy such fine and costs cannot be found, then the offender shall be committed to the Jail of the County wherein the offence was committed, for a period not exceeding thirty days.

VI. If any person who shall hereafter be appointed, and accept the office of Fish Protector or Water Bailiff under this Act, shall wilfully refuse or neglect to perform any of the duties prescribed to him by this Act, he shall forfeit and pay a sum not exceeding five pounds, for each and every such neglect or refusal, together with reasonable costs, the same to be recovered before any two Justices of the Peace, on the oath of one or more credible witness or witnesses, one half to be paid to the prosecutor, and the other half into the Treasury of this Island, to and for the use of Her Majesty's Government thereof.

VII. It shall and may be lawful for the Lieutenant Governor, or other Administrator of the Government, to appoint one or more Commissioners for the more effectual and better working of this Act; and every water bailiff appointed under this Act, shall take the oath prescribed in schedule (A) of this Act, and shall be under the control and obey the orders of said Commissioner or Commissioners so appointed.

VIII. The Act of the twenty-third Victoria, Chapter twenty-two, entitled "An Act for the protection of the Salmon Fishery," shall be and the same is hereby repealed.

SCHEDULE A.

Form of Oath.

I, A. B., do swear that I will be faithful and true to the trust reposed in me as Water Bailiff or Salmon Protector for River. That I will not violate the law for the protection of the Salmon Fisheries of this Island; and that I will, to the utmost of my ability, prosecute to conviction any person who, to my knowledge, shall have been guilty of a violation of that law.

So help me God.
Water Bailiff.