

Distress for
penalty, &c.

3. Should any defendant have goods and chattels whereon the costs may be levied, the complainant may distress for the amount under warrant by any Fishery Officer, or other magistrate, notwithstanding the imprisonment of the party convicted and fined ;

Forfeiture of
articles used
in contraven-
tion of this
Act.

4. All materials, implements or appliances used, and all fish had in contravention to this Act or any Regulation or Regulations under it, shall be confiscated to Her Majesty, and may be seized and confiscated on view by any Fishery Officer, or taken and removed by any person for delivery to any magistrate, and the proceeds of disposal thereof may be applied towards defraying expenses under this Act ;

Appropriation
of pecuniary
penalties.

5. One moiety of every fine or penalty levied by virtue of this Act, shall belong to Her Majesty, and the remaining half thereof shall be paid to the prosecutor, together with costs taxed to him for attendance as a witness or otherwise ;

How to be
applied.

6. Her Majesty's share of each fine or penalty and all proceeds derived from the sale of confiscated articles under this Act, shall be paid to the Receiver General through the Department of Marine and Fisheries, and be applied towards the expenses incurred for the protection of fisheries ; and persons aggrieved by any such conviction may appeal by petition to the Minister, who shall have power to remit fines and restore forfeitures under this Act.

Appeal to
Minister.

MODE OF RECOVERY.

Before whom
to be sued for.

17. Each penalty or forfeiture imposed by this Act, or Regulations made under it, may be recovered, on parole complaint, before any Fishery Officer, stipendiary or other magistrate, in a summary manner on the oath of one credible witness :

Service of
Summons, &c.

2. Three days shall elapse between the service and the return of summons to any defendant for the first five leagues, and one day more for each additional five leagues of the distance between the place at which the summons is dated and the place of service ; Provided that when it is expedient to proceed against a defendant without delay, any Fishery Officer or other magistrate may issue a summons, returnable immediately, to compel the defendant to appear before him forthwith, or may issue a warrant for the apprehension of such defendant simultaneously with the summons ;

Proviso :
for cases not
admitting
delay.

Limitation
of suits.

3. Penalties incurred under this Act, or the Regulations made under it, shall be sued for within two years from the commission of the offence ;

Who shall be
liable.

4. When not otherwise specified, every proprietor or proprietress, owner, agent, tenant, occupier, partner, or person actually in charge, either as occupant or servant, shall be deemed to be jointly and severally liable for penalties or moneys recoverable under any of the provisions of this Act or any Regulation or Regulations under it ;

No quashing
for want of
form, &c.

5. No proceeding under this Act or under any Regulation or Regulations made under it shall be dismissed, and no conviction thereunder shall be quashed for want of form ; nor shall any warrant of arrest or