

Province of Lower Canada, }
County of

Be it remembered, that on this _____ day of _____ in the year _____, A. B. is convicted before me, _____, one of His Majesty's Justices of the Peace [*here set forth the offence*]; and I do accordingly adjudge him, by virtue of an Act passed by the Legislature of this province in the _____ year of His Majesty's reign, intituled "An Act for the preservation of the Salmon Fisheries in the Counties of Cornwallis and Northumberland," to pay and forfeit by reason of the offence aforesaid, whereof the said A. B. stands convicted, the sum of _____

Given under my hand, at _____ the day and year aforesaid.

4 & 5 VICT., CAP. XXXVI.

An Act to regulate the Fisheries in the District of Gaspé.

[September 18, 1841.]

4 & 5 Vict., c. 36,
continued by
18 Vict., c. 85.

Preamble.

Right to fish and
land on the shores
of Gaspé.

Whereas the fisheries in the Inferior District of Gaspé are of great importance to the trade of this province; 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, in the session held in the third and fourth years of Her Majesty's reign, and intituled "An Act to reunite 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 all and every Her Majesty's subjects shall peaceably have, use, and enjoy the freedom of taking bait, and of fishing in any river, creek, harbour, or road, with liberty to go on shore on any part within the Inferior District of Gaspé, between Cape Chat, on the south side of the River Saint Lawrence, and the first rapid of the River Ristigouche within the said district, and on the Island of Bonaventure, opposite Percé, for the purpose of salting, curing, and drying fish there, to cut wood for making and repairing stages, flakes, hurdles, cook-rooms, and other purposes necessary for preparing their fish for exportation, or that may be useful to their fishing trade, without hindrance, interruption, denial, or molestation from any person or persons whomsoever: Provided such river, creek, harbour, or road, or the land upon which such wood may be cut, doth not lie within the bounds of any private property by grant from Her Majesty, or her Royal predecessors, or other title proceeding from such grant by Her Majesty, or her Royal predecessors, or by grant made prior to the year one thousand seven hundred and sixty, or held under and by virtue of any location certificate, or title derived therefrom, or under and by virtue of any title derived under any Act of the Legislature of the late Province of Lower Canada or of this province.

Occupation of the
beach.

II. And be it further enacted by the authority aforesaid, that the master or commander of any vessel fitted out from the United Kingdom of Great Britain and Ireland, or the dominions thereunto belonging, as well as all other subjects of Her Majesty, may take possession of so much of the unoccupied beach within the aforesaid Inferior District of Gaspé, as may be necessary for curing his fish, and preparing it for exportation, and to retain and enjoy the same so long as he shall not leave it unoccupied for the space of twelve calendar months, in which case it shall be lawful for any other person or persons to take possession thereof, in part or the whole, for the same purposes and on the same condition: Provided that such beach be not private property by grant from Her Majesty or her Royal predecessors, or other title proceeding therefrom, or by grant prior to the year one thousand seven hundred and sixty, or held under and by virtue of any location certificate, or title derived therefrom, or in virtue of any title derived under any Act of the Legislature of the late Province of Lower Canada, or of this province: Provided also, that such new occupier shall, when thereunto required by the preceding possessor, or his lawful attorney, the demand being made within one year after the possession taken, pay him for such parts of the flakes and stages as such new occupier shall take possession of. And provided further, that the said preceding possessor, not having been paid as aforesaid, may remove any building or other improvement erected or made by him on the unoccupied beach as aforesaid, so that such removal be not made during, and before, the close of the fishing season in which the new occupier shall have taken possession.

Proviso.

Proviso.

Persons fishing to
do no injury:

III. And be it further enacted by the authority aforesaid, that no ballast, or anything else injurious or hurtful to any of the rivers, harbours, or roads within the said Inferior District of Gaspé, shall be thrown out of any vessel, or discharged into any stream, basin, or road in the said Inferior District, but that the same shall be carried on shore, and deposited where no public or private injury may be sustained thereby, nor shall any person or persons throw any fish, guts, offals, or gurry overboard within the distance of six leagues