

CANADA.

APPENDIX (A.)

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 Corn-
wallis 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.

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

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

[September 18, 1841.]

Preamble.

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.

Right to fish and
land on the shores
of Gaspé.

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