

CONSTRUCTION OF FISH-WAYS.

13. Every dam, slide, or other obstruction across or in any stream where the Minister of Marine and Fisheries determines it to be necessary for the public interest that a fish-pass should exist, shall be provided by the owner or occupier with a durable and efficient fish-way, which shall be maintained in practical and effective condition, in whatever place and of whatever form and capacity will admit of the passage of fish through the same ; and the place, form and capacity of the fish-way may be prescribed by any fishery officer by notice in writing :

Fish-ways to be made where and in such manner as fishery officer directs.

2. Every one who violates the foregoing provisions of this section shall incur a penalty of four dollars for each day during which any such obstruction remains unprovided with a fish-way, after three days' notice in writing to the owner or occupier thereof :

Penalty for violation.

3. Fish-ways shall be kept open and unobstructed and shall be supplied with a sufficient quantity of water to fulfil the purposes of this enactment, during such times as are required by any fishery officer :

To be kept open, &c.

4. The Minister may authorize the payment of one-half of the expense incurred by such owner or occupier in constructing and maintaining any fish-way :

Minister may pay one half the cost.

5. The Minister, in order to procure the construction of any fish-way, pending proceedings against any owner or occupier for the penalty imposed by this Act, may give directions to make and complete the same forthwith, and may authorize any person to enter upon the premises with the necessary workmen, means and materials, and may recover from the owner or occupier the whole expense so incurred by action before any competent tribunal :

May construct and recover the cost in certain cases.

6. No person shall injure or obstruct any fish-way, or do anything to deter or hinder fish from entering and ascending or descending the same, or injure or obstruct any authorized barrier. 31 V., c. 60, s. 12.

Not to be obstructed or injured.

GENERAL PROHIBITIONS.

14. Every one who fishes for, takes, catches or kills fish in any water, or along any beach, or within any fishery limits described in any lease or license, or places, uses, draws or sets therein any fishing gear or apparatus, except by permission of the occupant under such lease or license for the time being, or disturbs or injures any fishery, shall be liable to a penalty not exceeding one hundred dollars and costs, or to imprisonment for a term not exceeding two months ; and the fishing apparatus so used, and all fish taken or caught, shall be forfeited, and any fishery officer or the holder of any such lease or license may, on view, forthwith seize and remove any net or apparatus so used, to be dealt with according to law : Provided always, that the occupation of any fishing station

Penalty for fishing in limits leased to another.

Apparatus, &c., may be seized.

Proviso : as to taking bait or angling.