

And for certain other fish.

**35.** It shall not be lawful to catch Maskinongé, Pickerel, nor Black Bass, between the fifteenth of March and the fifteenth day of May.

Fish not to be bought or sold in the close season.

**36.** It shall not be lawful for any person, to buy, sell or have in possession any Salmon, Salmon Trout, nor any kind of Trout, Bass, nor Maskinongé, taken in contravention of this Act; and any fish so taken, may be declared forfeited, by any Magistrate whomsoever, and any person so found in possession of any of the aforementioned fish, or of any part or portion thereof, shall be held to have obtained the same, in violation of the provisions of this Act, except only upon legal proof to the contrary, which proof shall devolve wholly upon the person accused.

Proof.

Fish-pounds.

**37.** It shall not be lawful to construct any fish pound in any river.

Permission may be given to take fish for spawn in the close season, &c.

**38.** The Superintendent of Fisheries may grant written permission to any person or persons who may be desirous of obtaining spawn for *bonâ fide* artificial or scientific purposes, to fish for that purpose, during the close season. And any person who may wilfully injure or destroy any place set apart for the artificial propagation of fish, shall incur a fine of not less than five pounds nor more than ten pounds.

Right of possession in fishing stations.

**39.** Every subject of Her Majesty, who shall be in peaceable possession of any fishing Station at the time of the passing of this Act, shall be deemed the owner thereof, for the purposes of this Act and he shall be deemed so to be when he shall not have abandoned it during twelve consecutive months; and it shall not be lawful for any other person to set therein any apparatus for catching fish so as to injure his fishery.

Lime and drugs not to be used to catch fish.

**40.** It shall not be lawful to throw lime, or any chemical substance or drug, into any water frequented by any one of the kind of Fish mentioned in this Act, and any person found guilty of having thrown lime or any other chemical substance or drug in such waters shall be subjected to penalty of not less than five pounds and not more than ten pounds for each offence.

Penalty.

Recovery of penalties.

**41.** Every penalty or forfeiture imposed by this Act or the regulations to be made under it, may be recovered on complaint before the Superintendent of fisheries, or any Stipendiary or other Magistrate, in a summary manner, upon the oath of one credible witness; and the proceedings and the costs to be recovered shall be the same as provided by law in either Section of the Province in other cases where summary jurisdiction is given to Magistrates, except in so far as it may be otherwise herein provided.