

Where the offence shall be held to have been committed.

10. Every such offence shall be deemed to have been committed in the county or district to the common gaol of which the commitment has been actually made. 31 V., c. 60, s. 18.

PENALTIES AND FORFEITURES.

Penalty in cases where no other is provided.

18. Except as herein otherwise provided, every one who violates any provision of this Act, or of the regulations under it, shall be liable to a penalty not exceeding twenty dollars and costs, and in default of payment, to imprisonment for a term not exceeding one month and not less than eight days; and any fishery officer or justice of the peace may grant a warrant of distress for the amount of such penalty and costs: but whenever it appears to the satisfaction of the justice of the peace or fishery officer that the offence was committed in ignorance of the law, or that because of the poverty of the defendant the penalties imposed would be oppressive, a discretionary power may be exercised:

Distress for penalty, &c.

2. If any defendant has goods and chattels whereon the costs may be levied, the complainant may distrain for the amount under warrant by any fishery officer or other justice of the peace, notwithstanding the imprisonment of the person convicted:

Forfeiture of articles used in violation of this Act.

3. All materials, implements or appliances used, and all fish caught, taken or killed in violation of this Act or any regulation 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 justice of the peace; and the proceeds arising from the disposal thereof may be applied towards defraying expenses under this Act:

Application of pecuniary penalties.

4. A moiety of every penalty levied by virtue of this Act shall belong to Her Majesty, and the other moiety shall be paid to the prosecutor, not being a fishery officer, together with costs taxed to him in respect thereof; but if a fishery officer is the informer, the whole shall belong to Her Majesty:

Crown's share.

5. Her Majesty's share of each penalty and all proceeds derived from the sale of confiscated articles under this Act, shall be paid to the Minister of Finance and Receiver General through the Department of Fisheries, and be applied towards the expenses incurred for the protection of the fisheries:

Appeal to Minister.

6. Persons aggrieved by any such conviction may appeal by petition to the Minister of Marine and Fisheries, who may remit penalties and restore forfeitures under this Act. 31 V., c. 60, s. 16, *part*.

MODE OF RECOVERY.

Before whom to be sued for.

19. Every penalty or forfeiture imposed by this Act, or regulations made under it, may be recovered or enforced on parol complaint, before any fishery officer, stipendiary magis-