

exhausted fisheries by natural or artificial means, and to improve streams where natural obstructions exist, and may authorize the construction, erection or placing of any artificial barrier or grating in any stream or river, or in any water-course, and in the channels or beds thereof ;

6. With a view to protect the oyster beds in different parts of the bays and coasts of the Dominion, it shall not be lawful for any person to take oysters, or in any way to injure or disturb such oyster beds, except during times and on terms permitted by Regulation or Regulations under this Act, under a penalty of not more than one hundred dollars nor less than forty dollars together with the forfeiture of the vessel and all the apparatus employed therein ; and in default of payment, the party convicted shall be imprisoned for not less than one month, nor more than two months ;

7. Shell-fish fisheries shall be subject to the provisions of this Act, and any Regulation or Regulations to be made under it.

FINES AND FORFEITURES.

16. Except for offences to which penalties are already attached, each and every offender against the provisions of this Act, or the Regulations under it, shall for each offence incur a fine of not more than twenty dollars, besides all costs ; and in default of payment of each fine, shall be imprisoned in each case for not less than eight days, and not exceeding one month ; provided, whenever it shall appear to the satisfaction of the convicting magistrate, that the offence has been committed in ignorance of the law, and that because of the poverty of the defendant, the penalty imposed would be oppressive, a discretionary power may be exercised ; and any Fishery Officer or other magistrate may grant a warrant of distress for the amount of fine and costs imposed in any case :

2. The contravention on any day of any of the provisions of this Act, or of any Regulation made under it, shall constitute a separate offence, and may be punished accordingly ;

3. Should any defendant have goods and chattels whereon the costs may be levied, the complainant may distrain for the amount under warrant by any Fishery Officer or other magistrate, notwithstanding the imprisonment of the party convicted and fined ;

4. All materials, implements or appliances used, and all fish had in contravention to this Act or any Regulation or Regulations 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 magistrate, and the proceeds of disposal thereof may be applied towards defraying expenses under this Act ;