

No. 120.

1st Session, 4th Parliament, 16 Victoria, 1852.

BILL.

An Act relating to the Fisheries on the
Labrador, and North Shore of the
Gulf of St. Lawrence.

Received and read a First time, Monday, 27th
September, 1852.

Second reading, Monday, 4th October, 1852.

MR. CHRISTIE,
of Gaspé.

QUEBEC.

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

B I L L .

An Act relating to the Fisheries on the Labrador and North Shore of the Gulph of St. Lawrence.

WHEREAS the Whale, Seal, Cod, Mackarel, Herring, and Preamble.
 other Fisheries in the Gulph of St. Lawrence are of
 great importance to Her Majesty's subjects in this Province,
 several of whom concerned in those Fisheries have been of late
 5 years by strong hand prevented by persons residing on or
 frequenting the Labrador or North Shore of the said Gulph, from
 making on the coasts thereof and islands contiguous thereto,
 although uninhabited and waste, the temporary buildings, Try
 Houses, Sheds, Stages, Flakes, and other erections necessary to
 10 the carrying on of those Fisheries, some of such persons pretend-
 ing that as proprietors or lessees of the Seignories or occupants
 of the principal posts or places established on the said coasts for
 the purpose of trading with the native Indians, they have an ex-
 clusive right to the fishing, hunting, and trade with the Indians on
 15 the said coast, and in some instances have under pretext thereof
 violently dispossessed persons of the temporary erections they
 had constructed in waste and unoccupied parts of the said coast
 and islands, as trespassers thereupon, but who nevertheless, in the
 lawful pursuit of such Fisheries, have as British Subjects a right
 20 to land and construct such erections on the waste and unoccupied
 parts of the coast, not disturbing nor interfering with the previous
 occupants, and are entitled as pursuing an important branch of
 public and national industry, to every facility which, without in-
 jury to planters and those permanently settled on the coast,
 25 the various localities on the said coast and islands contiguous to
 the same can afford, and it therefore is expedient to declare and
 enact as hereinafter it is done; Be it therefore declared and en-
 acted, &c.,

And it is hereby declared and enacted by the authority of the H.M. Subjects
 30 same, that all and every Her Majesty's Subjects carrying on or
 concerned in the Whale, Seal, Cod, and other Fisheries in the
 Gulph of St. Lawrence shall peaceably have, use and enjoy the
 freedom of taking bait and of fishing in any and every River,
 Creek, Harbour, or Road, with liberty to go on shore on any part carrying on
 the Fisheries
 shall have the
 right of taking
 bait, fishing,
 etc., on the
 Labrador or

North Shore
of the Gulf.

or parts of the Labrador or North Shore of the Gulph of St. Lawrence, and upon any islands contiguous thereto, within the limits of the Province on the Gulph Shore or Labrador, for the purposes of the Whale and other Fisheries, and for 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 oil and 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 that such River, Creek, Harbour, or Road be navigable by boats and craft usually employed in the Fisheries, and as such not private property, and the land upon which such wood may be cut be unconceded by the Seigneur, or proprietor of the Seignioriy within which the same is situated, or if conceded, remains unimproved or unoccupied at the time when such wood is cut for the aforesaid purposes.

Proviso.

Masters of
British vessels
engaged in the
Fisheries to
have the right
of using the
unoccupied
Beach etc.,
on the La-
brador coast.

II. And be it enacted, That the Master and Commander of every Vessel fitted out from the United Kingdom of Great Britain, or Ireland, or any of the dominions thereunto belonging, for the Whale, Cod, or other Fisheries, may take possession of so much of the unconceded beach of any of the Islands on the said Labrador, or of any unoccupied beach on the mainland thereof within the limits of the Province, as may be necessary for trying his blubber and rendering the same into oil, or 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 pursuant to a concession or title deed therefor from the Seigneur or proprietor of the Seignioriy, to which the same may appertain, or be held and by virtue of a location certificate from the Crown or title derived therefrom; Provided also that such new occupiers shall when thereunto required by the preceding possessor or his lawful Attorney, such demand being made within one year after possession taken, pay him for such part of the Flakes and Stages, as such new occupier shall have taken 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 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.