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No. 188.

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2nd Session, 6th Parliament, 22 Victoria, 1859.

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**BILL.**

An Act to amend the Fishery Act, 22 Vict.,  
chap. 86.

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Received and read, first time, Tuesday, 22nd  
March, 1859.

Second reading, Thursday, 24th March, 1859.

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MR. PRICE.

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TORONTO :

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to amend "The Fishery Act."

WHEREAS with a view to secure the more efficient working of the Act passed in the twenty-second year of Her Majesty's reign, intituled "The Fishery Act," it is expedient to make certain amendments thereto; Therefore Her Majesty, &c., enacts as follows:

I. The fourth section of the said Act shall be amended by substituting the word "fifteen" for the word "nine" after the words "for any term not exceeding," in the third line thereof. Sect. 4 amended. this is as to the term years for which leases be granted.

II. The fifth section of the said Act shall be amended by the omission of the word "Four" in the seventh line of the said section before the words "Overseers may be appointed." Sect. 5 amended. to leave out the sum specified -

III. The eleventh section of the said Act shall be amended by omitting the words "or within three miles of the coast of the mainland, or of islands" in the third and fourth lines of the said section, after the words "or the remains of offal or fish in any such river." Sect. 11 amended. as to throwing overboard offal of f

IV. The twenty-second section of the said Act shall be amended by substituting the word "five" for the word "two," after the words "in the arms and," in the fourth line of the said section. Sect. 12 amended. Enlarging the net of Codfish seine

V. The twenty-fifth section of the said Act shall be amended by adding the words "or near" after the words "in any way whatever at" in the second line of the said section. Sect. 25 amended. desirable - as to Salmon leap

VI. The following shall be substituted for the thirty-first section of the said Act: "It shall not be lawful to fish for, catch, or kill any kind of trout in any way whatever between the first of October and the first of February in any year in Lower Canada." New sect. instead of 35. in case of 20 October

VII. The thirty-fourth section of the said Act shall apply only to Upper Canada. Sect. 34 limited to U. C. as to Salmon Froe

VIII. The thirty-fifth section shall be and the same is hereby repealed. Sect. 35 repealed. as to times of catch maskinongé, Pike etc.

IX. The thirty-sixth section of the said Act shall be amended by the omission of the words "nor maskinongé," after the words "kind of Trout, Bass," in the third line of the said section. Sect. 36 amended.

X. The thirty-ninth section of the said Act shall be amended by adding the words "above high water mark for the carrying on of the deep sea fisheries along the coast," after the words "any fishing station" in the second line of the said section. Sect. 39 amended. This is the section which the Attorney Gen recommended should be amended

explaining the meaning of the word "river" as not affecting the rights of Crown, but merely a proprietary interest as against trespassers.

Sect. 29  
amended.

XI. The twenty-ninth section of the said Act, shall be amended by omitting the words "knot to knot," in the second line of the said section.

Sect. 6  
amended

XII. The sixth section of the said Act, and the six sub-sections thereof, shall refer to deep sea fishing alone, and the words "bait and fish," in the first line of the first sub-section, shall mean "Caplin and Herring." 5

Certain fish  
not to be kill-  
ed in certain  
ways.

XIII. It shall not be lawful to fish for, catch or kill Salmon, Trout or Winonniche by aid of spears, grapnel hooks, nigog, nishagans nor by aid of torch light, or any other artificial light; and any of the said fish, found so killed in contravention of this section shall be forfeited, and the transgressor or accessories subject to the penalties imposed by the twenty-eighth section of the said Act. 10