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No. 127.

3rd Session, 8th Parliament, 61 Victoria, 1898

BILL.

An Act further to amend the Fisheries
Act.

First reading, April 29th, 1898.

Sir LOUIS DAVIES.

OTTAWA

Printed by S. E. DAWSON

Printer to the Queen's most Excellent Majesty

1898

An Act further to amend the Fisheries Act.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The subsection substituted for subsection 14 of section 14 of the *The Fisheries Act* by section 4 of chapter 51 of the statutes of 1894, is hereby repealed and the following is substituted therefor :—

R.S.C., c. 95,
s. 14 amended.

“ 14. From the time of low water nearest six of the clock in the afternoon of every Saturday, to the time of low water nearest six of the clock in the forenoon of every Monday, in tidal waters, and from six of the clock in the afternoon of every Saturday to six of the clock in the forenoon of the following Monday, in non-tidal waters, all sedentary fishing stations and weirs, and all pound and trap nets, seines, gill nets and other apparatus used for catching fish whether under license or not shall be so raised, closed or adapted as to admit of the free passage of fish through, by or out of such apparatus; and during such close time no one shall catch fish in such apparatus, whether under license or not.”

Fish to be allowed free passage on Sunday.

2. Section 14 of the said Act is hereby further amended by adding thereto the following subsection :—

Section 14 further amended.

“ 19. Whenever the size of the meshes of nets or apparatus for the capture of fish is fixed by this Act, or by any fishery regulation under it, it shall be unlawful to so arrange or adapt the nets or fishing apparatus as to practically diminish the size of such meshes.”

Size of meshes of nets.

3. The subsection substituted for subsection 1 of section 18 of the said Act by section 7 of chapter 51 of the statutes of 1894, is hereby repealed and the following is substituted therefor :—

Section 18 amended.

“ 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 one hundred dollars and costs, and, in default of payment, to imprisonment for a term not exceeding three months; and any fishery officer or justice of the peace may grant a warrant of distress for the amount of such penalty and costs.”

Penalty in cases where no other is provided.

4. The subsection substituted for subsection 3 of the said section 18 by section 8 of chapter 51 of the statutes of 1894, is hereby repealed and the following is substituted therefor :—

Section 18 further amended.

“ 3. All vessels, boats, canoes, rafts, vehicles of any description, nets, fishing gear, materials, implements or appliances used

Forfeiture of articles used and of fish

taken, etc., in
contravention
of this Act. in violation of this Act or any regulation under it, and any
fish or other marine animal taken, caught, killed, conveyed,
bought, sold or had in possession in violation of this Act or
any regulation under it, and all other fish, shell-fish or marine
animals otherwise legally taken, caught, killed, conveyed, 5
bought, sold, or had in possession, and of whatever size and
description, which are intermixed therewith, 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 fishery officer or justice of the peace." 10