

CHAP. 18

An Act to amend the Quebec Fishery laws

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 1374*a* of the Revised Statutes, as enacted by the R. S. 1374*a*, act 62 Victoria, chapter 23, section 1, is amended by adding the amended following, after paragraph 6:

“7. The words: “inspector of fisheries” mean any person Inspector of fisheries vested with the attributes of such office.”

2. Article 1375 of the Revised Statutes, as enacted by the act Id., 1375, 62 Victoria, chapter 23, section 1, is amended: amended.

a. By replacing paragraph 2 by the following: § 2, replaced.

“2. Persons having their domicile in the Province do not Residents do not require a license to fish with rod and line or with a line, as the not require license. case may be, in the waters of the Province which are not under lease;”

b. By replacing the second clause of paragraph 3 by the § 3, amended following:

“The fee required is determined in each case by the Minis- Fee on license, but shall not exceed twenty-five dollars.”

3. Article 1378 of the Revised Statutes, as enacted by the act Id., 1378, 62 Victoria, chapter 23, section 1, is amended by adding after amended the words: “the regulations from time to time made,” in the second and third lines, the words: “and the fees fixed.”

4. Article 1383 of the Revised Statutes, as enacted by the Id., 1383, act 62 Victoria, chapter 23, section 1, is amended: amended.

a. By adding after the word: “regulations”, in the third and fourth lines, the word: “fees.”

b. By adding after the word: “federal”, in the sixth line, the words: “laws, fees and”.

5. The following article is inserted in the Revised Statutes Art. added after article 1383, as enacted by the act 62 Victoria, chapter 1383. 23, section 1:

“**1383a.** The occupants mentioned in the foregoing article Occupants are also bound to allow lessees of a fishing reserve who have no to allow pas- means of issue to the public highways to pass over their lands sages by less-ees over

their prop- at the most suitable spot and where the least damage can be
erty upon done. If the parties cannot agree as to the place to be chosen
payment of and the indemnity to be paid, the whole shall be submitted
indemnity if and to the decision of the Lieutenant-Governor in Council."
necessary.

Id., 1390, amended. **6.** Article 1390 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is amended by adding the following clause thereto:

Payment by "Should the previous lessee, however, cease of his own ac-
new lessee cord to continue his lease or should he refuse to renew the same
for buildings, on the expiry thereof, the new lessee shall be bound to pay only
&c. the actual cost or actual value of the necessary buildings or
improvements. In the event of a difference of opinion, such
value shall be determined in the manner indicated in the fore-
going clause."

Id., 1394, re- **7.** Article 1394 of the Revised Statutes, as enacted by the
placed. act 62 Victoria, chapter 23, section 1, is replaced by the follow-
ing:

Settlement of disputes. **"1394.** Disputes relative to fishing limits or claims to fish-
ing stations, or relative to the position of nets or other fishing
apparatus shall be settled by the local fishery overseer; but his
decision may, however, be revised by the Minister on appeal
Appeal to Minister. being taken to him within a reasonable delay."

Id., 1394*a*, replaced. **8.** Article 1394*a* of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is replaced by the follow-
ing:

Distance be- **"1394*a*.** Any fishery overseer may, subject to the appeal men-
tween fisher- tioned in the foregoing article, determine or prescribe the dis-
ies and re- tance between every fishery, and may forthwith remove any
moval of fishing apparatus which the owner neglects or refuses to remove;
fishing appa- and such owner shall moreover be guilty of an infringement of
ratus, &c. this section and shall be responsible for the cost of removing
such fishing apparatus."

d., 1394*k*, replaced. **9.** Article 1394*k* of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is replaced by the follow-
ing:

Damaging fishways. **"1394*k*.** No person shall injure or obstruct any fishway or do
anything to deter or hinder fish from entering or ascending the
same, or injure or obstruct any authorized dams, under a pen-
alty for each offence of not less than ten dollars nor more than
Penalty. fifty dollars, and costs, and, in default of payment, an imprison-
ment of not less than fifteen days nor more than three months
over and above all damages resulting therefrom."

10. Article 1394*l* of the Revised Statutes, as enacted by the Id., 1394*l*, act 62 Victoria, chapter 23, section 1, is amended by adding amended.
after the words: "inspector-general", in the second line of paragraph (b), the word: "inspectors."

11. Article 1394*m* of the Revised Statutes, as enacted by the Id., 1394*m*, act 62 Victoria, chapter 23, section 1, is replaced by the following: replaced.

"**1394m.** Except when otherwise provided, every one who violates any provision of this section, or of the regulations under it, shall be liable, for a first offence, to a fine of not less than five and not more than thirty dollars, in addition to the costs, and, in default of payment, imprisonment for not less than eight days nor more than one month; for a second offence, to a fine of not less than twenty and not more than sixty dollars, in addition to the costs, and, in default of payment, imprisonment for not less than fifteen days, nor more than two months; and, for the third and every subsequent offence, to an imprisonment for not less than thirty days, nor more than three months."

Penalty for violation of provisions of section.

12. Article 1394*n* of the Revised Statutes, as enacted by the Id., 1394*n*, act 62 Victoria, chapter 23, section 1, is replaced by the following: replaced.

"**1394n.** The fine belongs, in each case one-half to the Crown and one-half to the person obtaining the conviction."

Application of fine.

13. The following article is added after article 1394*z* of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1: Art. added to id., after 1394*z*.

"**1394aa.** Whosoever uses dynamite or other explosives for catching any of the fish to which this act applies, is liable to an imprisonment of not less than thirty days and not more than three months."

Penalty for using explosives.

14. Article 1395 of the Revised Statutes, as enacted by the Id., 1395, re-act 62 Victoria, chapter 23, section 1, is replaced by the following: replaced.

"**1395.** The game superintendent-general and the game-inspector-general shall perform the duties of superintendent and inspector of fisheries for the whole Province. Duties of game superintendent-general.

Game inspectors shall perform the duties of fishery inspectors in the divisions for which they are appointed. Id. of game inspectors.

The superintendent-general and inspector-general, are *ex officio* justices of the peace for the whole Province, and they also have in each fishery division the same powers as fishery overseers. Game inspectors shall have such powers only within their respective divisions."

Certain officers *ex officio* justices of the peace.

Id., 1395a,
replaced.

15. Article 1395a of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is replaced by the following:

Fishery di-
visions and
appointment
of fishery
inspectors
and over-
seers.

“**1395a.** The Minister, may, if he considers it expedient for the better protection of fisheries, divide the Province into fishery divisions, and may appoint fishery inspectors and overseers for each division, whose duties and functions are defined by this section, by regulations made thereunder, and by instructions from the Minister.”

Id., 1395b,
replaced.

16. Article 1395b of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is replaced by the following:

Remunera-
tion of offi-
cers.

“**1395b.** The remuneration of such fishery inspectors and overseers, and of all other persons specially employed to perform any duty imposed by this section or by the regulations thereunder shall, if required, be determined by the Minister, by commission or otherwise, and, in either case, it shall be paid out of the revenue arising from the operations of this section.”

CHAP. 19

An Act to amend the Quebec Game Laws

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R. S., 1397,
replaced.

1. Article 1397 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

Transport of
moose, &c.,
forbidden
unless tag
attached
thereto.

“**1397.** 1. All railway, steamboat and other companies, and common carriers, are forbidden to transport or to have in their possession the whole or any part of any moose, caribou or deer, the flesh of such animal, the head or the green hide thereof unless there be attached thereto a tag issued by the Department of Colonization, Mines and Fisheries authorizing such transport.

Idem, after
first fifteen
days of pro-
hibition.

2. All railway, steamboat and other companies and common carriers are forbidden to transport, after the first fifteen days from the date of the prohibition, any moose, caribou, deer, the whole or any part of the flesh, the head or the green hide of any such animal.