

Laws of His Majesty's Province of Upper Canada, passed in the year 1821. York: R. C. Horne, 1821.

2 George IV – Chapter 10

An Act to repeal the Laws now in force relative to the preservation of Salmon, and to make further provisions respecting the Fisheries in certain parts of this Province, and also to prevent accidents by fire from persons fishing by torch or fire light. Passed 14th April, 1821.

Whereas it is expedient more effectually to provide for the preservation of Salmon within this Province, and to make further regulations for fishing in the Rivers and Creeks thereof: And whereas the provisions of an Act passed in the forty seventh year of His late Majesty's Reign, entitled "*An Act for the preservation of Salmon*" and also the provisions of another Act passed in the fiftieth year of His late Majesty's Reign, entitled "*An Act to extend the provisions of an Act passed in the forty seventh year of His Majesty's Reign, entitled 'An Act for the preservation of Salmon'*" are found inadequate: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "*An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'*" and by the authority of the same, That the aforesaid Acts, and every matter and thing in the said Acts contained, shall be and the same are hereby repealed.

II. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, it shall not be lawful for any person or persons at any time from the twenty fifth day of October till the first day of January in each and every succeeding year, to take catch or kill any Salmon or Salmon Fry in any manner whatsoever.

III. And be it further enacted by the authority aforesaid, That it shall not be lawful for any person or persons to take catch or kill or to attempt to take catch or kill any fish in any River or Creek within this Province by torch or fire light, within one hundred yards of any Mill or Mill-dam which may now or hereafter be erected on any such Rivers or Creeks as aforesaid.

IV. And be it further enacted by the authority aforesaid, That it shall not be lawful for any person or persons at any time to take catch or kill in any manner in the Home District, District of Newcastle and District of Gore of this Province, any Salmon or Salmon Fry, nearer the mouth of any of the Rivers or Creeks along the shore of Lake Ontario, than two hundred yards or within fifty yards up the mouth of any such Rivers or Creeks as aforesaid, except the River Credit in the Home District where it shall not be lawful to take any Salmon by Spear or otherwise less than two hundred yards up the mouth of the said River.

V. And be it further enacted by the authority aforesaid, That it shall not be lawful for any person or persons in either of the Districts aforesaid to take catch or attempt to take or catch, or attempt to take and catch by setting any net or nets, wear or wears, any Salmon or Salmon Fry in any of the Creeks or Rivers in the aforesaid Districts.

VI. And be it further enacted by the authority aforesaid, That if any person or persons shall be convicted, before any two or more of His Majesty's Justices of the Peace within the District in which such offence or offences shall have been committed, by the oath of one or more credible witness or witnesses other than the informer, of infringing any of the provisions of this Act, such person or persons respectively upon conviction as aforesaid shall forfeit and pay a sum not exceeding five pounds nor less than five shillings for every offence so committed with all reasonable costs both before and after conviction, or in default of payment to be committed to the Common Gaol of such District as aforesaid for a term not more than thirty days nor less than two days, unless the fine and costs are sooner paid.

VII. And be it further enacted by the authority aforesaid, That one half of any such fine as aforesaid, levied or collected, or to be levied or collected by virtue of this Act, shall be given to the informer and the other half shall be paid into the hands of His Majesty's Receiver General to and for the public uses of this Province to be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury for the time being in such manner and form as His Majesty shall direct.

VIII. Provided always nevertheless, and be it further enacted by the authority aforesaid, That nothing in this Act contained, shall extend or be construed to extend to any other part of the District of Gore aforesaid, than so much of said District as is comprised within the Township of Trafalgar and that part of the Township of Nelson which lies north of the Beach between Burlington Bay and Lake Ontario: provided that nothing in this Act contained shall extend or be construed to extend to prevent the Indians fishing as heretofore when and where they please except within one hundred yards of a Mill or Mill-dam by fire or torch light.