

Laws of His Majesty's Province of Upper Canada in North America, passed in the year 1823.
York: Charles Fothergill, 1823.

4 George IV – Chapter 20

An Act to repeal part of, and to amend and extend the Provisions of an Act passed in the second year of the Reign of His present Majesty, entitled “An Act to repeal the Laws now in force relative to the Preservation of Salmon, and to make further provision 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 19th March, 1823.

Whereas it is necessary to repeal part of, and to amend and extend the provisions of an Act passed in the second year of the Reign of His present Majesty, entitled “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,” Be it 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 of the Government of the said Province,” and by the authority of the same, That the second clause of the said Act be, and the same is hereby repealed.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 tenth day of November 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 whereas by the Act aforesaid it is among other things enacted, That it shall not be lawful for any person or persons in the Home District, District of Newcastle, and District of Gore, in this Province, to take, catch, or attempt to take or catch by setting any Net or Nets, Weir or Weirs, any Salmon or Salmon-Dry in any of the Creeks or Rivers in the aforesaid Districts. And for as much as part of the River Trent lies in the Midland District, where Weir and Nets are now commonly set and used, whereby the salutary object of the said recited Act is in a great measure defeated; for remedy whereof, Be it enacted, and it is hereby enacted by the authority aforesaid, That from and after the passing of this Act, the several clauses, provisions, fines and forfeitures in the said recited Act contained, except in so far as they are necessarily varied or repealed in this Act, shall extend to the whole of the said River Trent in all its windings and turnings, bays and creeks, running into, or communicating with, the same.

IV. And whereas the intention of the said Act is in a great measure defeated by persons employing Indians to catch Salmon after the expiration of the time limited by the said Act, 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 to employ, buy from, or receive, under any pretence whatever, from any Indian or Indians, any Salmon taken or caught within any of the said Districts, during the period in which persons are prohibited from taking or attempting to take or catch any Salmon or Salmon-Fry within the said Districts, and all and every person and persons convicted of having infringed the provisions of this clause, upon the oath of one or more credible witness or witnesses, before any two of His Majesty's Justices of the Peace in and for such District wherein such offence shall have been committed, shall be subject to the same penalty and imprisonment to which persons are now, by the said recited Act, liable for infringing the provisions thereof.

V. 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, His Heirs and Successors shall be graciously pleased to direct.