

19-20 GEORGE V.

CHAP. 42.

An Act to amend the Fisheries Act.

[Assented to 14th June, 1929.]

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

1. The *Fisheries Act*, chapter seventy-three of the Revised Statutes of Canada, 1927, is amended by adding to section two thereof the following paragraphs:—  
“(d) “fishing vessel” includes any ship or boat, or any other description of vessel used in fishing.  
(e) “Canadian” means a British subject resident in Canada.

Interpretation.

“Fishing vessel.”

“Canadian.”

2. Section seven of the said Act is amended by inserting after the word “may” in the first line thereof the following words:—“ in his absolute discretion,”

Fishery leases and licenses.

3. The said Act is further amended by inserting the following section immediately after section eight thereof:—  
“8A. The Minister may cancel any license issued under the authority of this Act, if it has been ascertained by the report of a commissioner appointed under the provisions of the *Inquiries Act*, chapter ninety-nine of the Revised Statutes of Canada, 1927, that the operations under such license are not conducted in conformity with law.”

Minister may cancel license.

4. Section twenty-eight of the said Act is repealed and the following is substituted therefor:—  
“28. (1) No one shall maintain a pound or enclosure in which lobsters, legally caught during the open season, shall be retained for sale during the close season at a place where the pound or enclosure is located, or for export therefrom, except under a license from the Minister, and no lobsters shall be taken from any such pound or enclosure, and disposed of during the close season at the place where it is located, except under a certificate from a fishery officer, setting forth the pound from which the lobsters were taken and that they had been legally caught during the open season.

Licenses for lobster pounds.

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Marking  
of pounds

(2) Each such pound or enclosure shall be marked with the name of the licensee and the number of his license. Such marking shall be in black on a white ground, and the letters and figures shall be at least six inches in height.

Fee.

(3) The annual fee for such license shall be seventy-five dollars."

Fishery  
regulations  
by Governor  
in Council.

5. Section forty-six of the said Act is amended by adding to subsection one thereof the following paragraphs:—

"(h) to prescribe the size or sizes of containers in which oysters may be sold, and how such containers shall be marked;

(i) to provide for the grading and inspection of oysters;

(j) to prescribe how incorrectly marked containers of oysters shall be re-marked and dealt with."

Publication.

6. Section forty-six of the said Act is further amended by repealing subsection two thereof and substituting the following subsection therefor:—

"(2) Such regulations shall take effect from the date of the publication thereof in the *Canada Gazette* or from the date specified for such purpose in such regulations, and such regulations shall have the same force and effect as if enacted herein, notwithstanding that such regulations extend, vary or alter any of the provisions of this Act respecting the places or modes of fishing: Provided that any regulation made under the provisions of paragraph (g) shall take effect at the expiration of six months from the date of its publication in the *Canada Gazette*."

Penalty  
for using  
trawls.

7. The said Act is further amended by inserting the following section immediately after section sixty-nine thereof:—

"69A. (1) Every person shall be guilty of an offence, and shall incur therefor a penalty of not less than one hundred dollars and not more than two thousand dollars, recoverable with costs upon summary conviction, who at any time, except under license from the Minister,—

Departure  
from  
Canadian  
port.

"(a) with intent to fish or to cause any other person to fish with a vessel that uses an 'otter' or other trawl of a similar nature for catching fish in the sea, leaves or departs from any port or place in Canada for the purpose of such fishing; or

Bringing in  
fish caught  
beyond  
territorial  
waters.

"(b) knowingly brings into Canada any fish taken or caught in the sea beyond the territorial waters of Canada with any vessel that uses an 'otter' or other trawl of a similar nature, or any vessel that uses an 'otter' or other trawl of a similar nature for catching fish in the sea beyond the territorial waters of Canada, if the leaving or departure from Canada of such vessel

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constituted an offence under this section, and moreover the fish or vessel so brought in shall be confiscated to His Majesty for violation of this Act, in the manner provided by section eighty-two of this Act.

"(2) No such vessel shall carry on fishing operations from or to any Canadian port or ports, unless such vessel is registered as a British ship in Canada and is owned by a Canadian or by a body corporate incorporated under the laws of the Dominion of Canada or of one of the Provinces thereof, and having its principal place of business in Canada.

Vessels  
to be  
registered.

"(3) No such vessel shall carry on fishing operations from or to any Canadian port or ports, unless it restricts its fishing operations to waters that are at least twelve miles distant from the nearest shore on the Atlantic sea-coast of Canada. The proof that such fishing operations are so restricted shall at all times lie on the Captain of the vessel: Provided that this subsection shall not apply to small druggers operated by inshore fishermen if exempted from the provisions of this subsection by special permit which the Minister is hereby authorized to issue for that purpose.

Fishing  
restricted  
to 12 mile  
limit.

Exception.

"(4) The Minister may determine the number of such vessels that shall be eligible to be licensed.

Licenses.

"(5) Regulations may be made under the provisions of section forty-six of this Act,—

Regula-  
tions.

(a) prescribing the form of license;

(b) specifying the evidence to be submitted with an application for a license;

(c) fixing the conditions under which a license shall be issued;

(d) making any other provisions respecting licenses.

"(6) The burden of proving absence of intent or knowledge, when intent or knowledge is necessary to constitute an offence under this section, shall lie upon the person accused, and intent or knowledge shall be presumed unless negatived by proof."

Burden of  
proof.

8. Subsection one of section eighty-seven of the said Act is repealed and the following is substituted therefor:—

"87. (1) Every penalty or forfeiture imposed by this Act or by any regulation made hereunder, may be recovered or enforced on parole complaint, before any fishery officer who is authorized by the Governor in Council to exercise the powers of a justice of the peace, stipendiary magistrate or justice of the peace, in a summary manner."

Before whom  
to be  
sued for.

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CHAPTER 73.

An Act respecting Fisheries and Fishing.

SHORT TITLE.

1. This Act may be cited as the Fisheries Act. 1914, Short title. c. 8, s. 1.

INTERPRETATION.

2. In this Act, and in any regulation made hereunder, unless the context otherwise requires, Interpretation.

(a) "fish" includes shell fish, crustaceans and marine animals;

(b) "fishery" means and includes the area, locality, place or station in or on which a pound, seine, net, weir or other fishing appliance is used, set, placed or located, and the area, tract or stretch of water in or from which fish may be taken by the said pound, seine, net, weir or other fishing appliance, and also the pound, seine, net, weir, or other fishing appliance used in connection therewith;

(c) "Minister" means the Minister of Marine and Fisheries. 1914, c. 8, s. 2.

APPLICATION.

3. Nothing in this Act contained shall be taken to authorize the grant of fishery leases conferring an exclusive right to fish in property belonging not to the Dominion but to some province thereof. 1914, c. 8, s. 3. Provincial rights not affected.

4. Nothing in this act contained shall preclude the granting by the Minister of written permission to obtain fish and fish spawn for purposes of stocking or artificial breeding or for scientific purposes. 1914, c. 8, s. 4. Licenses to take spawn.

5. The Governor in Council may appoint fishery officers whose powers and duties shall be as defined by this Act and the regulations made under it, and by instructions from the Minister. Appointment of Fishery Officers.

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Fishery officers are justices of the peace.

2. Every fishery officer, who is authorized by the Governor in Council to exercise the powers of a justice of the peace, shall for all the purposes of this Act and the regulations made under it, be *ex officio* a justice of the peace, within the district for which he is appointed to act as fishery officer.

Fishery guardians.

3. The Minister may appoint fit and proper persons to act as fishery guardians, who shall hold office during the pleasure of the Minister, and who shall have for the purposes of this Act and the regulations made under it the powers of a police constable. 1914, c. 8, s. 5.

Oath of office.

6. Every fishery officer and fishery guardian shall take and subscribe an oath in the form following, that is to say:—

"I, A. B., a fishery officer (or guardian) in and for the district of .....do solemnly swear, that to the best of my judgment, I will faithfully, honestly, and impartially fulfil, execute and perform the office and duty of such officer (or guardian) according to the true intent and meaning of *The Fisheries Act* and regulations and in accordance with my instructions. So help me God." 1914, c. 8, s. 6.

#### FISHERY LEASES AND LICENSES.

Fishery leases and licenses.

7. The Minister may, wherever the exclusive right of fishing does not already exist by law, issue or authorize to be issued fishery leases and licenses for fisheries and fishing wheresoever situate or carried on; but leases or licenses for any term exceeding nine years shall be issued only under authority of the Governor in Council. 1914, c. 8, s. 7.

If for more than nine years.

License to operate fish cannery.

8. No one shall operate a fish cannery for commercial purposes without first obtaining an annual license therefor from the Minister.

2. Where no other fee is in this Act prescribed for a cannery license, the annual fee for each such license shall be one dollar. 1917, c. 16, s. 2.

#### WHALE FISHING.

Licenses for whale fishery.

9. No one shall at any time engage in the manufacture of oil or other commercial product from whales, and no vessel or boat shall be employed in the whale fishery, except under license from the Minister.

Conditions.

2. The Minister may issue licenses to manufacture oil or other commercial product from whales and to employ boats or vessels in whale fishery, but no such license shall issue until,

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(a)

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(a) the Minister has approved of the site of the factory, which shall not be within one hundred miles of any other whale factory, or in such proximity to any inhabited place or places as in the opinion of the Minister may cause danger or detriment to the public health; Approval of site of factory.

(b) the applicant therefor has given assurance of a satisfactory nature to the Minister, that he is in a position to convert any captured whale into commercial products within twenty-four hours of the landing of such whale, and that he is also in a position to conduct his whale factory in such a manner that no noxious or deleterious matter will be allowed to pass into any public water, bay, creek, river or harbour; Utilizing captured whales.

(c) the applicant has filed with the Minister plans and specifications of the machinery to be installed in the proposed factory, and particulars of the reduction process; Plans of machinery, etc., to be filed.

(d) the applicant has satisfied the Minister that the machinery proposed to be used is of a kind efficient for such purposes. Machinery must be efficient.

3. No license shall be for a period exceeding nine years; but the Governor in Council may renew a license for further terms of nine years each upon receipt of a written application, which application shall be made at least six months before the termination of the current term. Term of license.

4. A license shall become void and forfeited unless the factory named therein is erected, equipped and working within two years from the date of the issue of the license. Time for commencing operations.

5. The fee payable for each such license shall be eight hundred dollars for the first year, one thousand dollars for the second year, and twelve hundred dollars for the third and each ensuing year, and the annual fee on all subsequent licenses for the same factory shall be twelve hundred dollars and such fee shall be payable to the Minister annually in advance: Provided that the Governor in Council, after the first two years may exact each year, in lieu of such fee, a sum equal to two per centum of the gross annual earnings of the factory. License fees.

6. Every license upon cause shown, after one month's notice in writing to the licensee, shall be liable to forfeiture for any infraction of this Act, or for failure to fulfil and carry out the assurances required by this section to be given to the Minister previously to the issuing of the license; and in the case of forfeiture, the Minister may, without any suit or other proceedings at law, and without compensation, cancel the license. Forfeitures of license.

7. Boats known as tow-boats shall not be used by any one in the prosecution of the whaling industry, and no vessel other than the vessel from which the whales have been

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been

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been captured or killed, shall, by any method or contrivance, bring or tow into port any whale for manufacture or other purpose; but nothing in this section shall prevent any one, other than the holder of a license, or his employees, from towing any dead whale to land, and having it manufactured or otherwise disposing of it in accordance with the provisions of this section.

Protection of other vessels.

8. No one shall pursue, capture, shoot or kill any whale within the distance of one-half nautical mile of any vessel or boat not at anchor or within one nautical mile of any vessel or boat at anchor or engaged in any kind of fishing.

Prohibited contrivances.

9. No one shall have in his possession for the purpose of catching or killing whales, or use in the catching or killing of whales any contrivance which does not include a harpoon, with a whaling line attached thereto, fixed or fastened to the boat or vessel from which the whale is captured or killed.

Licenses for whaling in Hudson Bay and northern waters.

10. Notwithstanding anything in this section, the license fee payable for any vessel or boat engaged in the whale industry or hunting whales within the waters of Hudson bay, or the territorial waters of Canada north of the fifty-fifth parallel of north latitude, if not so engaged or hunting in connection with a factory established in Canada, shall be fifty dollars for each year; and, inasmuch as Hudson bay is wholly territorial water of Canada, the requirements of this section as to licensing, and as to the fee payable therefor, shall apply to every vessel or boat engaged in the whale fishery or hunting whales in any part of the waters of Hudson bay, whether such vessel or boat belongs to Canada, or is registered and outfitted in, or commences her voyage from any other British country or from any foreign country. 1914, c. 8, s. 8.

License for manufacturing fish meal, etc.

10. Except as in this Act otherwise provided, no one shall engage in the manufacture of fish meal, fertilizer, oil, glue or products of a similar character from fish, fish offal or marine animals, except under license from the Minister. 1924, c. 44, s. 1.

#### COD FISHING.

Nets for taking cod.

11. No one shall use mackerel, herring or caplin seines for taking codfish, and no codfish seine shall be of a less sized mesh than four inches in extension in the arms, and three inches in the bunt or bottom of the seine. 1914, c. 8, s. 10.

#### SEAL FISHING.

Sedentary seal fisheries not to be disturbed.

12. No one shall with boat or vessel or in any other way during the time of fishing for seals, knowingly or wilfully disturb, impede or injure any sedentary seal fishery, or prevent, or impede the shoals of seals from coming into such fishery or knowingly or wilfully frighten such shoals.

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2.

Disputes between occupiers of seal fisheries concerning limits, and the mode of fishing or setting nets, shall be decided summarily by any fishery officer or justice of the peace, by whom arbitrators may be appointed to assess damages; and any damage assessed or which arises out of a repetition or continuance of the difficulty ordered to be remedied, may be levied under the warrant of any fishery officer or justice of the peace. 1914, c. 8, s. 11.

Disputes as to seal fisheries, how settled.

#### SALMON FISHING.

13. Salmon fry, parr and smolt shall not at any time be fished for, caught or killed, and no salmon or grilse of less weight than three pounds shall be caught or killed otherwise than by angling with hook and line; but no penalty shall attach if such fish are caught by accident in nets lawfully used for other fish, and if they are liberated alive, at the cost and risk of the owner of the fishery, on whom, in every case, the proof of such actual liberation shall devolve. 1914, c. 8, s. 12.

Fry, parr or smolt not to be killed.

14. The use of nets, weirs or other apparatus of a like nature for the capture of salmon shall be confined to tidal waters, and any fishery officer may determine the length and place of each net or other apparatus used in any of the waters of Canada.

Use of nets regulated.

2. No one shall fish for or catch salmon with swing nets in any of the waters of Canada. 1914, c. 8, s. 13.

No swing nets allowed.

15. All nets, or other lawful appliances for the capture of salmon, shall be placed at distances of not less than two hundred and fifty yards apart, without intermediate fishing nets or appliances of any kind being set or used in and about any other part of the stream. 1914, c. 8, s. 14.

Distance of nets apart.

16. No one shall drift for salmon in the provinces of New Brunswick and British Columbia, except when under license. 1914, c. 8, s. 15.

No one shall drift for salmon.

17. Any fishery officer may direct, either in writing or orally on sight, that a greater space than two hundred and fifty yards shall be left between salmon nets or other fishing apparatus and may prescribe the dimensions and extension or extensions of such nets and apparatus. 1914, c. 8, s. 16.

Space between nets and dimensions of nets.

18. No salmon shall be fished for, caught or killed otherwise than by angling with hook and line within two hundred yards of the mouth of any tributary of any creek or stream which salmon frequent to spawn. 1914, c. 8, s. 17.

As to spawning rivers.

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License in B.C. for salmon canneries.

License fee for salmon cannery.

License fees for salmon curing establishments.

License in B.C. for boats and buyers of fresh salmon.

License fee.

For what licenses are to be liable to cancellation.

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19. No one shall operate a salmon cannery or salmon curing establishment in British Columbia for commercial purposes except under a license from the Minister.

2. The annual fee for a salmon cannery license shall be twenty dollars, and in addition, four cents for each case of forty-eight one-pound cans, or the equivalent thereto, of sockeye salmon, and three cents for each case of forty-eight one-pound cans, or the equivalent thereto, of any other species of salmon, including steelhead (*salmo rivularis*) packed in such cannery during the continuance in force of the license. The said twenty dollars shall be paid before the license is issued, and the remainder of the license fee shall be paid as the Minister may from time to time by regulation prescribe.

3. The annual license fee for a salmon curing establishment shall be:—

Fifty cents on each ton or fraction thereof of dry-salted salmon put up in the establishment during the season, when the total quantity of dry-salted salmon put up in one season does not exceed ten tons;

Seventy-five cents on each ton or fraction thereof of dry-salted salmon put up in the establishment during the season, when the total quantity of dry-salted salmon put up in one season exceeds ten tons but is not more than twenty tons;

One dollar on each ton or fraction thereof of dry-salted salmon put up in the establishment during the season, when the total quantity of dry-salted salmon put up in one season exceeds twenty tons but is not more than fifty tons;

One dollar and twenty-five cents on each ton or fraction thereof of dry-salted salmon put up in the establishment during the season, when the total quantity of dry-salted salmon put up in one season exceeds fifty tons. 1914, c. 8, s. 18; 1922, c. 24, s. 1; 1924, c. 43, s. 1.

20. In British Columbia no unlicensed boat shall be used in buying fresh salmon, and no person engaged in cold storage or fish packing shall buy fresh salmon from any fisherman unless such person holds a license authorizing such purchases.

2. The fee for each license shall be one dollar, and the Minister may make regulations prescribing how such licenses may be granted and the respective forms thereof.

3. In addition to any other penalties that may have been incurred, such license shall be liable to cancellation if the holder thereof buys any salmon that has been caught illegally, and if any licensed boat is used for purchasing

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or

or carrying salmon that has been illegally caught the owner of such boat shall be liable to cancellation. 1918, c. 22, s. 3.

21. Except in the tidal waters of the province of Quebec on the north bank of the river St. Lawrence from the mouth of the river Saguenay to Blanc Sablon, no one shall at any time fish for, catch or kill trout by other means than angling with hook and line: Provided that such prohibition shall not apply to the kind of trout known as salmon trout (*Cristivomer namaycush*). 1914, c. 8, s. 19.

Subject to exception in part of Quebec, trout fishing limited to angling.

#### HERRING DRY-SALTING ESTABLISHMENTS.

22. In British Columbia no one shall operate an establishment for dry-salting herring for commercial purposes except under license from the Minister.

2. The annual fee on such license shall be twenty-five cents on each ton or fraction thereof of dry-salted herring put up in the establishment during the season. 1922, c. 24, s. 2; 1924, c. 44, s. 2.

In British Columbia herring curing establishments must have license. Fee for license.

#### LOBSTER FISHERIES.

23. No one shall, at any time, can or cure lobsters, except under license from the Minister. 1914, c. 8, s. 20.

License required for lobster canning.

24. The annual fee for any such license shall be at the rate of five dollars for the first four thousand eight hundred pounds of canned or cured lobsters or fraction thereof, canned or cured under such license, and two dollars for each additional four thousand eight hundred pounds or fraction thereof, canned or cured under such license. 1914, c. 8, s. 21.

Annual fee for lobster cannery license.

25. The owner or manager of every lobster factory or canning establishment shall on the date fixed by the Minister for that purpose, deliver to the inspector of fisheries for the district on the form provided by the Minister a statement under oath showing

Annual returns to Minister by owner or manager of lobster factory.

- (a) the number of fishermen employed, and of the lobster traps used in connection with his factory or canning establishment;
- (b) the number of persons employed in such factory or canning establishment, distinguishing the sexes;
- (c) the number of cases of lobsters, and the weights thereof, packed during the legal lobster fishing season last concluded and ended;
- (d) such other details and particulars as are required by the Minister. 1914, c. 8, s. 24.

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Production  
of license.

**26.** The manager or proprietor of every lobster factory or canning establishment, shall, on demand, produce his license to any fishery officer, or to any person designated by the Minister. 1914, c. 8, s. 26.

Lobster  
eggs.

**27.** The manager or owner of every lobster factory or canning establishment shall, on the request of any person authorized or employed by the Minister to hatch lobsters, as far as possible and with due care, take from and keep, in such manner as is from time to time prescribed by the Minister, all eggs attached to all lobsters brought to such factory or canning establishment, and deliver such eggs to a person authorized by the Minister to receive them. 1914, c. 8, s. 27.

Licenses for  
lobster  
pounds.

**28.** No one shall maintain a pound or enclosure in which lobsters, legally caught during the open season shall be retained for sale during the close season at a place where the pound or enclosure is located, except under a license from the Minister, and no lobsters shall be taken from any such pound or enclosure, and disposed of during the close season, except under a certificate from a fishery officer, setting forth the pound from which the lobsters were taken and that they had been legally caught during the open season.

Fee.

**2.** The annual fee for such license shall be seventy-five dollars. 1914, c. 8, s. 28.

## POSSESSION OF FISH.

Possession  
or sale of  
fish  
prohibited.

**29.** No one, without lawful excuse, the proof whereof shall lie on him, shall fish for, buy, sell or have in his possession any fish, or portion of any fish, during a time when fishing for such fish is prohibited by law. 1914, c. 8, s. 29.

Seizure and  
confiscation  
of fish.

**30.** Every customs officer, police officer or constable, clerk of a market or other person in charge of any market-place in any village, town, or city, may seize and, upon view, confiscate to his own proper use, any fish caught or killed during prohibited seasons, or which appears to have been killed by unlawful means.

Report of  
seizures  
with  
particulars  
to fishery  
officer.

**2.** Every such seizure and confiscation, with the date, place and circumstance thereof, shall together with the name, residence and calling of the person in whose possession such fish was found, be duly reported to the Department. 1914, c. 8, s. 30.

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CONSTRUCTION

## CONSTRUCTION OF FISH-WAYS.

**31.** Every slide, dam or other obstruction across or in any stream where the Minister determines it to be necessary for the public interest that a fish-pass should exist, shall be provided by the owner or occupier with a durable and efficient fish-way, or canal around the slide, dam or other obstruction, which shall be maintained in a good and effective condition by said owner or occupier, in such place and of such form and capacity as will in the opinion of the Minister satisfactorily permit the free passage of fish through the same.

Fish-ways  
to be made  
as fishery  
officer  
directs.

**2.** The place, form and capacity of the fish-way or canal shall be prescribed by any fishery officer by notice in writing.

Place, form,  
etc.

**3.** Every fish-way and canal shall be kept open and unobstructed and shall be supplied with such sufficient quantity of water as the Minister considers necessary to enable the fish frequenting the waters in which such fish-way or canal is placed to pass through the same during such times as are specified by any fishery officer.

To be kept  
open.

**4.** The Minister may authorize the payment of one-half of the expense incurred by such owner or occupier in constructing and maintaining any fish-way or canal; and after a fish-way or canal which has been duly approved by the Minister has been built at the cost of the owner or occupier of any slide, dam or other obstruction, or after such owner or occupier has paid one-half the cost thereof and such fish-way or canal thereafter proves to be ineffective, the total cost of any change in such fish-way or canal or any new fish-way or canal required to enable the fish to pass by such slide, dam or other obstruction, shall be paid by His Majesty.

Minister  
may pay  
one-half  
of cost.

**5.** The Minister, in order to procure the construction of any fish-way or canal, pending proceedings against any owner or occupier for the penalty imposed by this Act, may make and complete the same forthwith, and may authorize any person to enter upon the premises with the necessary workmen, means and materials for such purpose, and may recover from the owner or occupier the whole expense so incurred by action in the name of His Majesty.

May  
construct  
and recover  
the cost in  
certain  
cases.

**6.** Where unused slides, dams, obstructions, or anything detrimental to fish exist, and the owner or occupier thereof does not after notice given by the Minister remove the same, or if the owner is not resident in Canada, or his exact place of residence is unknown to the Minister, the Minister may, without being liable to damages, or in any way to indemnify the said owner or occupier, cause said slide, dam, obstruction, or thing detrimental to fish life to be removed or destroyed and in cases where notice has been

May remove  
or destroy  
after notice.

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given

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given to the owner or occupier, may recover from said owner or occupier the expense of so removing or destroying the same. 1914, c. 8, s. 31.

## GENERAL PROHIBITIONS.

Fishing in limits leased to another prohibited.

**32.** No one shall fish for, take, catch or kill fish in any water, or along any beach, or within any fishery described in any lease or license, or place, use, draw or set therein any fishing gear or apparatus, except by permission of the occupant under such lease or license for the time being, or shall disturb or injure any such fishery: Provided that the occupation of any fishery or waters leased or licensed for the express purpose of net fishing shall not interfere with the taking of bait used for cod-fishing, or prevent angling for other purposes than those of trade and commerce. 1914, c. 8, s. 32.

Seines, nets, etc., not to obstruct navigation.

**33.** Seines, nets or other fishing apparatus shall not be set or used in such manner or in such place as to obstruct the navigation of boats and vessels, and, no boats or vessels shall destroy or wantonly injure in any way seines, nets or other fishing apparatus lawfully set. 1914, c. 8, s. 33.

Stakes to be removed.

**34.** Every person using stakes, posts, buoys or other materials placed for fishing purposes in any water shall remove the same within forty-eight hours after ceasing to use them, and in all cases at the expiry of the fishing season. 1914, c. 8, s. 34.

Main channel not to be obstructed.

**35.** One-third of the width of any river or stream, and not less than two-thirds of the width of the main channel at low tide, in every tidal stream, shall be always left open, and no kind of net or other fishing apparatus or any material of any kind shall be used or placed therein.

Use of weirs for eel-catching prevented in certain cases.

2. The use of weirs for catching eels exclusively, and the use of mill-dams for catching eels, shall be prevented only in cases where, and at times when they injure other fisheries or, by completely barring any passage, they deprive other weirs of a share in the run of eels; and such place, time and circumstances may be determined by any fishery officer.

No net or device to prevent passage of fish.

3. The Minister may authorize the placing and maintaining of barriers, screens, or other obstructions, in streams to prevent the escape of fish held for fish breeding purposes, or any other purpose which he deems in the public interest, and no person shall injure any such barrier, screen or other obstruction. 1914, c. 8, s. 35.

Killing fish when passing through fish-ways, etc., prohibited.

**36.** No one shall injure or obstruct any fish-way or canal built, constructed or used to enable fish to pass over or around any slide, dam or other obstruction or do anything to stop, impede or hinder fish from entering or passing the

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the same or to stop, impede or hinder fish from surmounting any obstacle or leap, nor shall any one fish in any manner within twenty-five yards of the lower entrance to any fish-way or canal, obstacle or leap. 1914, c. 8, s. 36.

**37.** No one shall use a bag-net, trap-net or fish-pound for capturing deep-sea fish, except under a license. 1914, c. 8, s. 37.

Certain nets forbidden.

**38.** No one shall hunt or kill fish or marine animals of any kind, other than porpoises, whales and walruses, by means of rockets, explosive materials, or explosive projectiles or shells. 1914, c. 8, s. 38.

Use of explosives prohibited.

**39.** The fry of food fishes shall not be at any time destroyed. 1914, c. 8, s. 39.

Fry not to be destroyed.

**40.** No one shall use a purse seine for the capture of fish in any of the waters of Canada: Provided that the Minister may issue licenses for the use of purse seines for the taking of salmon in such waters of the province of British Columbia as are specified in such licenses. 1914, B.C. c. 8, s. 40.

Purse seines.

**41.** No one shall erect, use or maintain in any of the waters of Canada whether subject to any exclusive right of fishery or not, any net, weir, fascine fishery or other device which unduly obstructs the passage of fish; and the Minister or any fishery officer may order the removal of or remove any net, weir, fascine fishery or other device which, in the opinion of the Minister or any fishery officer, unduly obstructs the passage of fish. 1914, c. 8, s. 41.

Nets, weirs, fascine fisheries, etc., not to obstruct passage of fish.

**42.** In the provinces of British Columbia, Manitoba, Saskatchewan and Alberta, the Northwest Territories and the Yukon Territory, every ditch, channel or canal constructed or adapted for conducting water from any lake, river or stream, for irrigating, manufacturing, domestic or other purposes, shall if the Minister deems it necessary in the public interest, be provided at its entrance or intake with a fish guard or a metal or wire grating, covering or netting, so fixed as to prevent the passage of fish from any lake, river or stream into such ditch, channel or canal.

Fish guards only where Minister deems it necessary.

2. Such fish guards shall have meshes or holes not more than three-eighths of an inch in diameter, and shall be built and maintained by the owner of such ditch, channel or canal, subject to the approval of the Minister or of such officer as he may appoint to examine it.

Structure of fish guards.

3. The owner of such ditch, channel or canal shall maintain such fish guard in a good and efficient state of repair, and shall not permit its removal except for renewal or re-

Duty of owner to keep in repair.

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pair, and during the time such renewal or repair is being effected the sluice or gate at the intake or entrance shall be closed, and the passage of fish into the ditch, channel or canal prevented. 1914, c. 8, s. 42; 1917, c. 16, s. 4.

Permit required to catch, trade in or export fish for manure.

43. No one shall catch, fish for, take, buy, sell, possess or export any fish for the purpose of converting it into manure, guano, or fertilizer, or for the manufacture or conversion of such fish into oil or manure or other fertilizing product, except under authority of the Minister; but the Minister may by notice published in the *Canada Gazette*, except any kind or kinds of fish from the operation of this section or any part of this section, and may at any time by a notice similarly published, withdraw such exception. 1914, c. 8, s. 43.

Fish not to be caught outside territorial waters when catching is forbidden in such waters.

44. No one shall leave any port or place in Canada to fish outside the territorial waters of Canada for fish the catching of which is at such time prohibited in the territorial waters of Canada opposite to or nearest the place where such person proposes to fish, and no one shall bring into Canada any fish caught outside the territorial waters of Canada when fishing such fish is prohibited inside the territorial waters of Canada opposite or nearest to the place where such fish was caught, or shall bring into Canada any vessels, boats, nets, fishing gear, implements or appliances used in such fishing.

When section to go into operation.

2. This section shall not go into operation until the United States of America prohibits her citizens, boats and vessels from bringing into the said United States lobsters caught outside and near the territorial waters of Canada during any period when Canadian fishermen are forbidden to catch lobsters in such territorial waters.

Treaty rights not to be affected.

3. Nothing in this section shall be construed as in any way limiting, restricting, revoking or annulling any right granted to the citizens of any foreign nation by any treaty or convention, and such citizens shall enjoy any such right as if this section had not been passed. 1918, c. 22, s. 4.

#### INJURY TO FISHING GROUNDS AND POLLUTION OF RIVERS.

Throwing overboard of certain substances prohibited.

45. No one shall throw overboard ballast, coal ashes, stones, or other prejudicial or deleterious substances in any river, harbour or roadstead or any water where fishing is carried on, or throw overboard or let fall upon any fishing bank or ground, or leave or deposit or cause to be thrown, left or deposited, upon the shore, beach or bank of any water or upon the beach between high and low water mark, inside of any tidal estuary, or within two hundred yards of the mouth of any salmon river, remains or offal of fish, or of marine animals, or leave decayed or decaying fish in any net or other fishing apparatus.

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2. Such remains or offal may be buried ashore, above high water mark, and at establishments situated inside the mouths of rivers for carrying on deep-sea fisheries, the same may be dropped into perforated boxes or inclosures built upon the beach, or under stage-heads, in such manner as to prevent the same from being floated or drifted into the stream, or may be disposed of in such manner as any fishery officer prescribes.

Offal may be buried ashore, etc.

3. No person shall cause or knowingly permit to pass into, or put or knowingly permit to be put, lime, chemical substances or drugs, poisonous matter, dead or decaying fish, or remnants thereof, mill rubbish or sawdust or any other deleterious substance or thing, whether the same is of a like character to the substances named in this section or not, in any water frequented by fish. 1914, c. 8, s. 44.

Lime, etc., prohibited.

#### REGULATIONS.

46. The Governor in Council may make regulations

- (a) for the better management and regulations of the seacoast and inland fisheries;
- (b) to prevent or remedy the obstruction and pollution of streams;
- (c) to regulate and prevent fishing;
- (d) to prohibit the destruction of fish;
- (e) to forbid fishing except under authority of leases or licenses;
- (f) prescribing the time when and the manner in which fish may be fished for and caught;
- (g) to prohibit the export or sale of any fish or any portion of any fish from Canada or the taking or carrying of fish or any portion of any fish from any one province of Canada to any other province thereof.

Governor in Council may make fishery regulations

2. Such regulations shall take effect from the date of the publication thereof in the *Canada Gazette* or from the date specified for such purpose in such regulations, and such regulations shall have the same force and effect as if enacted herein, notwithstanding that such regulations extend, vary or alter any of the provisions of this Act respecting the places or modes of fishing and shall be printed in the prefix in the next succeeding issue of the Dominion Statutes: Provided that any regulation made under the provisions of paragraph (g) shall not take effect until after six months from the date of its publication in the *Canada Gazette*.

Publication

3. Every offence against any regulation made under this Act may be stated as in violation of this Act. 1914, c. 8, s. 45.

Offences against regulations.

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POWERS

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## POWERS OF FISHERY OFFICERS AND OTHER JUSTICES.

Fishery officer may convict on view.

47. Any fishery officer or justice of the peace may, on view, convict any person committing any of the offences punishable under the provisions of this Act, or under any regulations made hereunder, and may remove and detain any fish unlawfully caught and any boat, vessel, fishing apparatus or other materials used in committing any offence or in connection therewith, or which such fishery officer or justice of the peace has reason to believe was so used. 1914, c. 8, s. 46.

Search may be made or authorized under warrant.

48. Any fishery officer or justice of the peace may search, break open and search, or grant a warrant to search, any house, vessel, or place where he has reason to believe that any fish taken in violation of this Act, or of any regulation made hereunder, or anything used in violation thereof, is concealed. 1914, c. 8, s. 47.

Arrest.

49. Any fishery officer, fishery guardian or peace officer may arrest without warrant a person whom he, on reasonable and probable grounds, believes to have committed an offence against this Act, or any regulation made hereunder or whom he finds committing or preparing to commit an offence against this Act or any such regulation. 1914, c. 8, s. 48.

In what locality offence may be prosecuted.

50. If any offence under this Act is committed in, upon or near any waters forming the boundary between different counties or districts, or fishery districts, such offence may be prosecuted before any justice of the peace in either of such counties or districts, or before any fishery officer for either fishery district. 1914, c. 8, s. 49.

Interfering with officer in discharge of his duty.

51. Every one who resists or wilfully obstructs any fishery officer or fishery guardian in the execution of his duty, or any person acting in aid of such officer or guardian, is guilty of an offence punishable on indictment or on summary conviction, and liable if convicted on indictment to a term not exceeding two years' imprisonment, and on summary conviction to a term not exceeding six months' imprisonment with hard labour or to a fine of one hundred dollars. 1914, c. 8, s. 50.

Entry by fishery officer.

52. In the discharge of his duties any fishery officer, fishery guardian or other person or persons accompanying him or authorized to such effect by the fishery officer, may enter upon and pass through or over private property without being liable for trespass. 1914, c. 8, s. 51.

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53.

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53. Disputes between persons relative to fishing limits or claims to fishery stations, or relative to the position and use of nets and other fishing apparatus, shall be settled by the local fishery officer. 1914, c. 8, s. 52.

Disputes, how settled.

54. Fishery officers may determine or prescribe the distance between each and every fishery (*pêcherie*) and shall forthwith remove any fishing apparatus or materials which the owner neglects or refuses to remove; and such owner shall be moreover liable for a violation of this Act, and for the cost of removing such apparatus and materials and any damages that may result therefrom. 1914, c. 8, s. 53.

Distances between fisheries.

55. The Minister, or any fishery officer duly authorized by the Minister, shall have power to define the boundaries of tidal waters and estuaries and to designate what is the mouth of any river, stream or other water for the purposes of this Act. 1914, c. 8, s. 54.

Boundaries of estuary fishing.

56. Gurry grounds may be designated or defined by any fishery officer. 1914, c. 8, s. 55.

Gurry grounds.

57. Any fishery officer, stipendiary magistrate, or commissioned officer of His Majesty's navy, on board of any vessel belonging to or chartered by the Government of Canada, employed in the service of protecting the fisheries, and every commissioned officer of His Majesty's navy serving on board of any vessel cruising and being in the waters, harbours or ports of Canada, shall, for the purpose of affording protection to His Majesty's subjects engaged in the fisheries, and of enforcing any laws relating to such fisheries, have and exercise the powers of a justice of the peace, without property qualification, and without taking any oath of office, in all the waters, where for the time being and for the purposes above described, they are so engaged. 1914, c. 8, s. 56.

Certain officer to have powers of a justice of the peace.

58. Property seized by any fishery officer, stipendiary magistrate, or naval officer, acting as aforesaid, may be removed for disposal to the nearest or most convenient port or place where any revenue officer or other public officer empowered to deal with the matter resides. 1914, c. 8, s. 57.

Property seized, how dealt with.

59. Whenever it is impracticable for any fishery officer, stipendiary magistrate or naval officer, acting in such capacity, to cause any prisoner to be conveyed to, and committed to the nearest common gaol, he may detain him on board of the vessel, or transfer him to another ves-

Powers of officers, etc., as to detention of prisoners.

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sel for conveyance to and delivery at the most convenient place, and with all convenient despatch, where he can be duly committed into the custody of the sheriff or other officer of the county or district in which the common gaol is situated to which he is ordered to be committed.

Conveyance  
of prisoners.

2. Until such prisoner is so delivered into the immediate custody of any sheriff or gaoler the fishery officer, stipendiary magistrate or naval officer having him in charge, shall have, in all places through which it is necessary to convey such prisoner the same authority and power in regard to such prisoner, and to command the aid of any of His Majesty's subjects in preventing his escape, or in retaking him in case of escape, as any county or district sheriff or peace officer has while lawfully conveying a prisoner from one part of his own district to another.

Where the  
offence shall  
be held to  
have been  
committed.

3. Every such offence shall be deemed to have been committed in the county or district to the common gaol of which the commitment has been actually made. 1914, c. 8, s. 58.

GENERAL.

Lease of  
waters for  
propagation  
of fish.

60. The Minister may authorize to be set apart any river or other water for the natural or artificial propagation of fish. 1914, c. 8, s. 59.

Special  
licenses for  
oyster beds.

61. Special licenses and leases for any term of years may be granted to any person who wishes to plant or form oyster beds in any of the bays, inlets, harbours, creeks or rivers, or between any of the islands on the coast of Canada; and the holder of any such lease or license shall have the exclusive right to the oysters produced or found on the beds within the limits of such lease or license. 1914, c. 8, s. 60.

Authority to  
provinces to  
grant leases  
for oyster  
cultivation.

62. The Governor in Council may, upon such terms and conditions as are agreed upon, authorize the government of any province to grant leases of such areas of the sea-coast, bays, inlets, harbours, creeks, rivers and estuaries of such province as the government of such province considers suitable for the cultivation and production of oysters, and any persons to whom such leases are granted by such province, shall, subject to the fishery regulations of Canada, have the exclusive right to the oysters produced or found on the beds within the limits of their respective leases.

Dominion  
rights  
preserved.

2. In the event of such areas, or any part thereof, being in a public harbour, nothing in this section shall prejudice the right or title of the Dominion to the enjoyment and use of such harbour for every purpose other than the cultivation and production of oysters. 1914, c. 8, s. 61.

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63.

63. Every subject of His Majesty may use vacant public property, such as by law is common and accessory to public rights of fishery and navigation, for the purpose of landing, salting, curing and drying fish, and may cut wood thereon for such purposes, and no other person shall occupy the same station unless it has been abandoned by the first occupant for twelve consecutive months; and at the expiration of that period any new occupier shall pay the value of the flakes and stages and other property thereon, of which he takes possession, or the buildings and improvements may be removed by the original owner.

As to right  
to use vacant  
public  
property for  
fishing  
purposes.

2. All subjects of His Majesty may take bait or fish in any harbours or roadsteads, creeks or rivers, subject to the provisions of this Act respecting the leasing or licensing of fisheries and fishing stations.

As to taking  
bait.

3. No property leased or licensed shall be deemed vacant. 1914, c. 8, s. 62.

64. The name "dogfish," the vernacular name for *squalis*, is hereby changed to "grayfish," and in any regulation hereafter made under the provisions of this Act the name "grayfish" shall mean the *squalis*. 1917, c. 16, s. 5.

Name of  
"dogfish"  
changed to  
"grayfish."

65. The owner or manager of every fish curing or canning establishment or fresh fish business, and the captain or owner of every fishing vessel, and the owner of every fishing boat, fishing trap, weir or other fishing instrument in Canada, shall, at the request of the Minister or a fishery officer, furnish a true return, covering the period specified by the Minister or such fishery officer, containing the whole or any one or more of the following particulars:—

Returns of  
quantity of  
fish caught,  
etc., etc.

- (a) All fish caught;
- (b) All fish bought;
- (c) All fish packed or canned;
- (d) The value of the fish caught, bought, packed or canned;
- (e) The number of fishermen employed and their nationality;
- (f) The number of shore workers employed;
- (g) The number and value of the fishing vessels and boats employed;
- (h) The quantity and value of fishing gear used;
- (i) The number and value of buildings and fixtures used;
- (j) Such other details and particulars as may be required by the Minister or such fishery officer. 1917, c. 16, s. 5.

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PROTECTION

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## PROTECTION OF FISHERMEN.

Boats to be provided with necessities for their crew, when on fishing cruises.

66. No dory, flat, whaler or other boat whatsoever shall set out from any vessel engaged in deep-sea or bank fishing or be launched therefrom for the purpose of fishing with hooks and lines, trawls or other similar appliances, or with intent that the same shall be used in so fishing, or for the purpose of examining trawls, set lines or other similar appliances for fishing, unless there is placed in such boat, to be retained therein during absence from such vessel, a mariner's compass, nor unless there is placed in such boat at least two quarts of drinking water and two pounds of solid food for each man of the crew of such boat.

Compass, fog-horn, etc.

2. The owner of such vessel shall supply her at the commencement of her voyage with as many serviceable mariner's compasses, as she carries boats, in addition to the vessel's compass and also with the necessary utensils for holding water and with a serviceable fog-horn or trumpet.

No clearance without certificate of equipment.

3. No collector or other customs officer shall grant a clearance to such vessel or allow her to go to sea unless the master thereof has a certificate from a fishery officer or other person authorized by the Minister to give such certificates that the vessel is properly equipped with a mariner's compass and suitable utensils for holding water for each boat carried by her and with a serviceable fog-horn or trumpet. 1914, c. 8, s. 63.

## OFFENCES AND PENALTIES.

Whaling without license.

67. Every one shall incur a penalty of not less than three hundred dollars and costs, and not more than one thousand dollars and costs, who at any time, except under license from the Minister

- (a) engages in the manufacture from whales of oil or other commercial product; or
- (b) employs any vessel or boat in the whale fishery. 1914, c. 8, s. 64.

Failure to send returns to Minister.

68. Every owner or manager of a lobster factory or canning establishment who neglects on the date fixed by the Minister for that purpose, to send to the inspector of fisheries for the district, on the form prescribed by the Minister a statement under oath, showing

- (a) the number of fishermen employed, and of the lobster traps used in connection with his factory or canning establishment;
- (b) the number of persons employed in such factory or canning establishment, distinguishing the sexes;
- (c) the number of cases of lobsters, and the weights thereof, packed during the legal lobster fishing season last concluded and ended; and

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(d)

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(d) such other details and particulars as are required by the Minister; shall be liable to a penalty of not less than one hundred dollars and costs, or more than four hundred dollars and costs. 1914, c. 8, s. 67.

69. Every person shall be guilty of an offence, and shall incur therefor a penalty of not less than twenty-five dollars and of not more than one thousand dollars, recoverable with costs upon summary conviction, who at any time, except under license from the Minister.

(a) with intent to fish for salmon or lobsters or to cause any other person to fish for salmon or lobsters in the sea beyond the territorial waters of Canada, leaves or departs from any port or place in Canada or causes any other person to leave or depart from any port or place in Canada for the purpose of such fishing; or

(b) knowingly brings into Canada any salmon or lobsters taken or caught in the sea beyond the territorial waters of Canada, or any vessel, boat, gear or equipment used either in the taking or catching thereof or for the purpose of taking or catching salmon or lobsters in the sea beyond the territorial waters of Canada, if the leaving or departure from Canada to fish therefor or therewith constituted an offence under this section and moreover the salmon, lobsters, vessel, boat, gear or equipment so brought in shall be confiscated to His Majesty for violation of this Act in manner hereinafter provided.

2. Failure to produce a license issued pursuant to the provisions of this Act, or any regulation made hereunder, shall be deemed *prima facie* evidence of intent or knowledge, when intent or knowledge is necessary to constitute an offence under this section. 1922, c. 23, s. 1; 1924, c. 44, s. 3.

70. Every manager or proprietor of a lobster factory or canning establishment who refuses on demand to produce his license to any fishery officer or to any person designated by the Minister, shall be liable to a penalty of not less than fifty dollars and costs and not more than one hundred dollars and costs. 1914, c. 8, s. 68.

71. Every manager or owner of a lobster factory or canning establishment who, on the request of any person authorized or employed by the Minister to hatch lobsters, neglects or refuses to take from and keep, as far as possible and with due care, and in such manner as is from time to time prescribed by the Minister, all eggs attached to lobsters

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sters brought to such factory or canning establishment, or neglects or refuses to deliver such eggs to a person authorized by the Minister to receive them, shall be liable to a penalty of not less than ten dollars and costs and not more than fifty dollars and costs for each such neglect or refusal. 1914, c. 8, s. 69.

Counterfeiting or altering labels, stamps or brands prescribed by Minister.

**72.** Every person who counterfeits or alters any label, stamp or brand prescribed by the Minister to be labelled, stamped or branded on any case or package containing lobsters canned or cured in Canada, or with fraudulent intent, labels, stamps or brands any such case with any label, stamp or brand so prescribed by the Minister, or so closely resembling such label, stamp or brand as to be calculated to deceive, shall be liable to a penalty of not less than two hundred dollars and costs, or imprisonment for six months, or both, and not more than five hundred dollars and costs or imprisonment for twelve months, or both. 1914, c. 8, s. 70.

Refusal or neglect of dam owner, etc., to provide fish-way.

**73.** Every owner or occupier of a slide, dam or other obstruction across or in any stream where the Minister determines it to be necessary for the public interest that a canal around a dam or a fish-pass therein, should exist, who, after three days' notice in writing, neglects or refuses to provide a durable and efficient fish-way or canal, or who neglects or refuses to maintain the same in a good and effective condition in such place and of such form and capacity as will admit of the passage of fish, shall be liable to a penalty of not less than four dollars and not more than twenty dollars for each day during which any such slide, dam or other obstruction to the stream remains unprovided with such canal or fish-way, or during which such canal or fish-way is not maintained in a good and effective condition. 1914, c. 8, s. 71.

Fishing within limits leased to another.

**74.** Except taking bait for cod-fishing or angling for purposes other than those of trade and commerce, every one who fishes for, takes, catches or kills fish in any water, or along any beach, or within any fishery limits, described in any lease or licenses, or places, uses, draws or sets therein any fishing gear or apparatus, except by permission of the occupant under such lease or license for the time being, or disturbs or injures any fishery, shall be liable to a penalty of not less than one hundred dollars and costs, and not more than two hundred dollars, or to imprisonment for a term not exceeding two months: and the fishing apparatus so used, and all fish taken or caught, shall be forfeited; and any fishery officer or the holder of any

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such

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such lease or license may, on view, forthwith seize and remove any net or apparatus so used, to be dealt with according to law. 1914, c. 8, s. 72.

**75.** Every person who hunts or kills fish or marine animals of any kind, other than porpoises, whales or walruses, by means of rockets, explosive materials, or explosive projectiles or shells, shall be liable to a penalty of not less than one hundred dollars and costs, or to imprisonment for not less than three months, or both, and not more than five hundred dollars and costs or to imprisonment for six months or both. 1914, c. 8, s. 73.

Use of rockets or explosives.

Penalty.

**76.** In the provinces of British Columbia, Manitoba, Saskatchewan and Alberta, and in the Northwest Territories and the Yukon Territory every owner of a ditch, channel or canal constructed or adapted for conducting water from any lake, river or stream for irrigating manufacturing, domestic or other purposes, who

Neglect or refusal to provide and maintain fishguards.

(a) neglects or refuses to provide and maintain in a good and sufficient state of repair at its entrance or intake a fish-guard or a metal or wire grating, covering or netting with meshes not more than three-eighths of an inch in diameter, approved by the Minister or such officer as he from time to time appoints to examine it, and so fixed as to prevent the passage of fish from any lake, river or stream into such ditch, channel or canal;

or  
(b) permits the removal of such fish-guard, grating or netting, except for renewal or repair; or

(c) during the time such renewal or repair is being effected, neglects or refuses to close the sluice or gate at the intake or entrance of such ditch, channel or canal, so as to prevent the passage of fish into such ditch, channel or canal;

shall, after three days' notice in writing from the Minister, or from a fishery officer, be liable to a penalty of not less than four dollars and not more than twenty dollars for each day or part of a day during which such ditch, channel or canal remains unprovided with such duly approved, and properly maintained netting, grating or fish-guard or closed as the case may be. 1914, c. 8, s. 74.

Penalty.

**77.** Every one who, contrary to the provisions of this Act throws overboard ballast, coal ashes, stones, or other prejudicial or deleterious substances in any river, harbour or roadstead or any water where fishing is carried on, or throws overboard or lets fall upon any fishing bank or ground, or leaves or deposits or causes to be thrown, left or deposited, upon the shore, beach or bank of any water,

Throwing overboard prohibited substances.

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Penalty.

or upon the beach between high and low water mark, inside of any tidal estuary, or within two hundred yards of the mouth of any salmon river, remains or offal of fish or of marine animals, or leaves decayed or decaying fish in any net or other fishing apparatus, shall be liable, for each offence, to a penalty not less than twenty dollars and costs and not more than one hundred dollars and costs, or to imprisonment for a term not exceeding two months; and every one so offending, whether master or servant, and the master or owner of any vessel or boat from which such ballast or offal, or other prejudicial substance is thrown, shall be liable to penalty and imprisonment as aforesaid for each offence. 1914, c. 8, s. 75.

Depositing lime, etc., in water frequented by fish.

**78.** Every person who causes or knowingly permits to pass into, or puts or knowingly permits to be put, lime, chemical substances or drugs, poisonous matter, dead or decaying fish, or remnants thereof, mill rubbish or sawdust or any other deleterious substance or thing, whether the same is of the like character to the substances named in this section or not, in any water frequented by fish, shall be liable, for the first offence, to a penalty of twenty dollars and costs, for the second offence, to a penalty of not less than forty dollars and costs, and not more than eighty dollars and costs, and also in addition thereto a further penalty of not less than ten dollars and not more than twenty dollars for every day during which such offence is continued; and for the third or any subsequent offence, to a penalty of not less than one hundred dollars and costs, and not more than two hundred dollars and costs, and also in addition thereto a further penalty not exceeding twenty dollars for every day during which such offence is continued. 1914, c. 8, s. 76.

Injuring or fishing in place leased for the propagation of fish.

Penalty.

**79.** Every person who wilfully destroys or injures any place set apart under the authority of the Minister for the propagation of fish, or who fishes therein without written permission from a fishery officer, or uses therein any fishing light or other implement for fishing during the period for which such waters are so set apart, shall be liable to a penalty of not less than fifty dollars and costs and not more than two hundred dollars and costs, and, in default of payment, to imprisonment for a term not less than six months, and not more than twelve months, or both. 1914, c. 8, s. 77.

Taking oysters from or injuring bed set apart by Minister.

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**80.** Every one who takes oysters from any oyster bed, set apart by the Minister for any purpose under this Act, or in any way injures or disturbs such oyster bed, except during the times and on the terms permitted by regulation under

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under this Act, shall be liable to a penalty of not less than forty dollars and costs, and not more than one hundred dollars and costs, and in default of payment, to imprisonment for a term not less than two months, and not more than four months and the vessel and all the apparatus used in the taking of such oysters, or in the injury or disturbance of such oyster bed, shall be forfeited. 1914, c. 8, s. 78.

**81.** The owner of any vessel, who

- (a) permits any dory, flat, whaler, or other boat whatsoever to set out from any vessel engaged in deep-sea or bank fishing, or to be launched therefrom for the purpose of fishing with hooks and lines, trawls, or other similar appliances, or with intent that the same shall be used in so fishing, or for the purpose of examining trawls, set lines or other similar appliances for fishing without there being placed in such boat to be retained therein during absence from such vessel, a mariner's compass, and at least two quarts of drinking water and two pounds of solid food for each man of the crew of such boat; or
- (b) fails to supply any vessel by him so engaged in deep-sea or bank fishing, at the commencement of her voyage with as many serviceable mariner's compasses as she carries boats, in addition to the vessel's compass and also with the necessary utensils for holding water and with a serviceable fog-horn or trumpet;

shall be guilty of an offence against this Act, and shall be liable for each such offence to a penalty of not less than two hundred dollars and costs and not more than five hundred dollars and costs, or to imprisonment for a term not less than six months and not exceeding twelve months, or both.

2. The master of any such vessel from which a boat is launched or sets out in contravention of the provisions of this section shall also be guilty of an offence against this Act, and shall be liable therefor to a penalty of not less than one hundred dollars and costs and not more than two hundred and fifty dollars and costs, or to imprisonment for a term not less than six months, or to both.

3. The owner and master of any such vessel which goes to sea or attempts to go to sea without first obtaining and exhibiting to the collector or other proper customs officer a certificate from a fishery officer or other person authorized by the Minister to grant such certificates that the vessel is properly equipped with a mariner's compass and suitable utensils for holding water for each boat carried by her and with a serviceable fog-horn or trumpet, shall

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R.S., 1927.

Not providing compasses, etc., for boats.

Penalty against master.

Vessel going to sea without certificate of equipment.

Penalty  
against  
owner  
and master.

each be guilty of an offence against this Act and shall each be liable therefor to a penalty of not less than one hundred dollars and costs and not more than two hundred dollars and costs or to imprisonment for a term not exceeding six months. 1914, c. 8, s. 79.

Confiscation  
of all fishing  
property  
used, and all  
fish taken,  
bought, or  
sold, in  
violation of  
Act.

**82.** All vessels, boats, canoes, rafts, vehicles of any description, nets, fishing gear, materials, implements or appliances used in violation of this Act or any regulation made hereunder, or of any international regulation, and any fish, taken, caught, killed, conveyed, bought, sold or had in possession in violation of this Act or any regulation hereunder, or of any international regulation, and all other fish, otherwise legally taken, caught, killed, conveyed, bought, sold or had in possession and of whatever size and description, which are intermixed therewith, shall be confiscated to His 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. 1914, c. 8, s. 80.

Successive  
days  
separate  
offences.

**83.** Should any nets, seines, or other fishing apparatus be set or used in violation of this Act or any regulation hereunder for more than one day, then each day during which such seines, nets or other fishing apparatus shall remain so set or used shall constitute a separate offence, and may be punished accordingly; and should any other violation of this Act, or of any regulation hereunder, continue for more than one day, then each day during which such violation continues shall constitute a separate offence, and may be punished as such. 1914, c. 8, s. 81.

Penalties  
not  
otherwise  
provided  
for.

**84.** Except as herein otherwise provided, every one who violates any provision of this Act, or any regulation made hereunder, shall be liable to a penalty of not more than one thousand dollars and costs, and, in default of payment, to imprisonment for a term not exceeding twelve months, or to both. 1914, c. 8, s. 82.

Who shall  
be liable.

**85.** When not otherwise specified, every proprietor, owner, agent, tenant, occupier, partner or person actually in charge, either as occupant or servant, shall be deemed to be jointly and severally liable for any penalties or moneys recovered under any of the provisions of this Act, or of any regulation made thereunder. 1914, c. 8, s. 83.

Offences by  
fishery  
officers.

**86.** Any fishery officer or fishery guardian, who violates this Act or any regulation made hereunder, or who aids, abets or connives at any violation of this Act or of any regulation made hereunder, shall be liable upon summary conviction

R.S., 1927.

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conviction

conviction before any recorder, commissioner of police, judge of the sessions of the peace, police, stipendiary or district magistrate or any two justices of the peace, to a penalty not exceeding five hundred dollars and costs or six months' imprisonment and not less than one hundred dollars and costs or three months' imprisonment. 1914, c. 8, s. 84.

MODE OF RECOVERY.

**87.** Every penalty or forfeiture imposed by this Act or by any regulation made hereunder, may be recovered or enforced on parole complaint, before any fishery officer who is authorized by the Governor in Council to exercise the powers of a justice of the peace, or stipendiary magistrate, in a summary manner.

2. Three days shall elapse between the service and the return day of the summons to any defendant served within fifteen miles, and one day more for each additional fifteen miles of the distance between the place at which the summons is issued and the place of service: Provided, that if it is expedient to proceed against a defendant without delay, any fishery officer or justice of the peace may issue a summons, returnable immediately, to compel the defendant to appear before him forthwith or may issue a warrant for the apprehension of such defendant simultaneously with the summons. 1914, c. 8, s. 85.

**88.** Penalties incurred under this Act, or any regulation made hereunder, shall be sued for within two years from the commission of the offence. 1914, c. 8, s. 86.

**89.** If any defendant has goods and chattels whereon the costs may be levied, the complainant may, under the warrant of any fishery officer or other justice of the peace, distrain for the amount thereof, notwithstanding the imprisonment of the person convicted. 1914, c. 8, s. 87.

INTERNATIONAL FISHERY REGULATIONS.

**90.** The Governor in Council may, by proclamation, bring into force the international regulations prepared by the International Fisheries Commission appointed under the Treaty signed at Washington on the eleventh day of April, one thousand nine hundred and eight, between Great Britain and the United States, concerning the fisheries in waters contiguous to Canada and the United States.

2. The Governor in Council may make regulations to secure the enforcement of the international regulations, and may prescribe penalties for the violation of such regulations or of the international regulations, but no such

111

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penalty

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Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

PUBLIC ARCHIVES  
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CANADA

Penalties for violation. penalty shall exceed the sum of one thousand dollars and costs, or in default of payment imprisonment for a term not exceeding six months, or in the case of a continuous offence the sum of twenty dollars and costs for each day the offence continues.

Publication. 3. The international regulations and all proclamations and regulations issued under this section shall be published in the *Canada Gazette* and shall also be laid before both Houses of Parliament within ten days after the publication thereof if Parliament is then sitting, and if Parliament is not then sitting, then within ten days after the next meeting thereof. 1914, c. 8, s. 88.

To be laid before Parliament.

FORM OF PROCEDURE.

Form of procedure. 91. Except in so far as in this Act is otherwise specially provided all penalties and forfeitures incurred under this Act or under any regulation made hereunder shall be recoverable and enforceable by summary proceedings taken under the provisions of the Criminal Code relating to summary convictions. 1914, c. 8, s. 89.

No quashing for want of form. 92. No proceeding or conviction under this Act or under any regulation under it shall be set aside or quashed on certiorari or otherwise for irregularity or defect in form, and no warrant of arrest or commitment shall be held void by reason of any defect therein, if it is therein alleged that the defendant has been convicted, and there is a good and valid conviction to sustain the same. 1914, c. 8, s. 90.

APPLICATIONS OF FINES AND FORFEITURES.

Fines and forfeitures. 93. The Governor in Council may prescribe the manner in which the proceeds of penalties and the proceeds of the sale of confiscated articles shall be distributed. 1914, c. 8, s. 91.

Appeal in case of grievance by conviction. 94. Persons aggrieved by any conviction for any offence under this Act may appeal by petition to the Minister, who may remit penalties and restore forfeitures under this Act: Provided that when a conviction takes place or an order is made by a justice of the peace or fishery officer for the payment of money or dismissing an information or complaint under this Act, nothing in this section contained shall prevent any person who thinks himself aggrieved by any such conviction or order or dismissal, the prosecutor or complainant, as well as the defendant, from the right of appeal that he has under the provisions of the Criminal Code relating to summary convictions. 1914, c. 8, s. 92.

OTTAWA: Printed by FREDERICK ALBERT ADLARD, Law Printer to the King's Most Excellent Majesty.

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Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

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CANADA

130-7-16

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

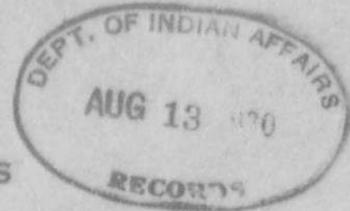
ADDRESS REPLY TO  
DEPUTY MINISTER  
AND C O T E

719-5-28



CANADA

DEPARTMENT OF MARINE AND FISHERIES  
FISHERIES BRANCH



OTTAWA, August 11th, 1930.

R

*Mr. Found*  
*[Handwritten signature]*  
*[Handwritten initials]*

Sir:-

The Department of Game and Fisheries at Toronto has forwarded here a copy of a letter they have addressed to you with regard to the necessity for having a fishway installed in the dam at Canyon Lake, which was constructed there for the supplying of electric power for use at the Indian residential school at McIntosh .

For your information I attach a copy of the Fisheries Act, section 31 of which outlines the requirements regarding the installation of fishways in dams constructed across rivers that are frequented by fish. As the fisheries in Ontario are being administered by the provincial authorities, the enforcement of the provisions of this section comes within the purview of the Provincial Department of Game and Fisheries at Toronto.



I am, Sir,

Your obedient servant,

*[Handwritten signature of Wm. A. Found]*

Wm. A. Found  
Deputy Minister.

The Deputy Superintendent General,  
Department of Indian Affairs,  
O t t a w a.

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

PUBLIC ARCHIVES  
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CANADA

(COPY)

DEPARTMENT OF THE INTERIOR

706 Commercial Bldg.,

Winnipeg, Man.,  
July 21, 1930.

E. E. Wallace, Esq.,  
Timber Contractor,  
McIntosh, Ont.

Dear Sir:

Having received notification that you have completed the removal of the coffer dam at the McIntosh Indian School Dam, I have forwarded the account to the Department of Indian Affairs, Ottawa, with the request that you be paid.

The items for transportation of men for seven days at \$2.00 per day, and for service on labor and transportation at 20%; a total amount of \$29.70, have been deleted.

With reference to your letter of July 12th, I may say that our Engineer, Mr. H. L. Johnston, who supervised the repair work, informs me that you did not carry out the terms of our agreement with respect to the watering, inasmuch as the men had to work in water and it was impossible to make complete repairs because of the excessive leakage through the sand bag, Coffier Dam. Nevertheless, I am authorizing payment in full for the work. No arrangements were made with you for transportation of men, but merely that you would supply labor at cost. I understand you transported your own men to the site and it was convenient for the labor supplied us to travel on the same boat, and incidentally, these men travelled on government time, which is unusual. The charge for service and labor and transportation at 20% cannot be approved, and I am fairly certain that if any analysis is made, it would probably be found that your profits on labor supply were very substantial.

With respect to the final paragraph of your letter in which you say you did not apply for the job, but was were asked by the Department to undertake the work, which you did to the delay of your own requirements, I may say that I was making arrangements to carry on this work independantly of you, and it was only when you had visited this office and requested us to hurry up the work in order to facilitate your operations in the vicinity, that we agreed to cooperate with you in rushing the work to completion.

Yours truly,

D. B. Gow,

Acting District Chief Engineer.

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

PUBLIC ARCHIVES  
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CANADA

(COPY)

E. E. WALLACE

Timber Contractor

McIntosh, Ont., July 12, 1930.

D. B. Gow, Esq.,  
District Chief Engineer,  
Dominion Water Power Service,  
706 Commercial Bldg.,  
Winnipeg, Man.

Dear Sir:-

Am enclosing herewith account in quadruplicate on work done at Indian School here. I have cleaned up the job to the satisfaction of the Indian Dept.

Re your objection to claim for transportation of men, this is a perfectly legitimate charge, and a small one at that, being but a dollar per trip, less than half what it cost me. Had I put up accommodation for the men at the school site, it would have cost considerably more. Re service charge, this also is quite in order and modest to say the least. It was understood between Mr. Attwood and myself that I was to charge cost plus 20% on the whole job, but we altered that to a set price for the coffer dam and agreement to supply the other labour required, there being nothing to the contrary that the 20% should not stand on this extra labour, which if you care to analyse you will find that the work was done considerably cheaper than if you had had to bring men from Winnipeg to do the work.

Moreover I wish to remind you that I did not apply for the job, but was asked by the dept. to undertake the work, which I did to the delay of my own requirements. The obligation is yours.

Yours truly,

(Signed "E. wallace")

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

**PUBLIC ARCHIVES**  
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**CANADA**

(COPY)

DOMINION WATER POWER & HYDROMETRIC BUREAU  
DEPARTMENT OF THE INTERIOR

Winnipeg, Man., June 16, 1930.

E. E. Wallace, Esq.,  
McIntosh, Ont.

Dear Sir:-

I am returning you herewith bill of costs in duplicate, covering the work in accordance with our agreement dated April 28th, 1930.

This agreement made no provision for payment to you for transportation of men or for service on labor and transportation and accordingly I would request you to make out your account in quadruplicate addressed to the Department of Indian Affairs, Ottawa, leaving out the two items of \$14.00 and \$15.70, as these two items will not be passed.

Please send your account to this office to receive approval for payment, and when approved we will forward it to Ottawa for payment by the Department of Indian Affairs.

According to our agreement you were to remove the coffer-dam. My information is that you have not completed this portion of the work, there being two layers of bags remaining of the coffer-dam, and that you opened the sluice and allowed many bags to pass through the sluice into the stream below where they are now lying. Please note that payment of your account will be withheld until such time as all material used in connection with the construction of the coffer-dam is removed from the site, and I am requesting Father Perreault to advise me when this is done.

Yours truly,

D. B. Gow,

Acting District Chief Engineer.

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

PUBLIC ARCHIVES  
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CANADA

(COPY)

E. E. WALLACE

Timber Contractor

McIntosh, Ont., June 4, 1930.

The District Chief Engineer,  
Dominion Water Power  
706 Commercial Bldg.,  
Winnipeg, Man.,

Dear Sir:

Enclosed herewith bill of cost  
covering work done in accordance with our agree-  
ment dated April 28, 1930.

Yours truly,

"E. Wallace"

Encl.

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

**PUBLIC ARCHIVES  
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CANADA**

E. E. WALLACE,  
Timber Contractor.

McIntosh, Ont.,

May 1, 1930.

C. H. Attwood, Esq.,  
Dominion Waterpower  
706 Commercial Bldg.,  
Winnipeg, Man.,

Dear Sir:

Yours of the 28th last to hand, conditions  
and price for work to be done by me, accepted. I  
am starting at once on the work, and would like to  
receive the material etc., at your very earliest con-  
venience.

Yours truly,

"E. Wallace"

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

**PUBLIC ARCHIVES**  
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**CANADA**

E. E. WALLACE,  
Timber Contractor.

McIntosh, Ont., April 30, 1930.

C. H. Attwood, Esq.,  
Dominion Water Power,  
706 Commercial Bldg.,  
Winnipeg, Man.,

Dear Sir:

I am still awaiting your confirmation of my letter dated March 31 re coffer dams. I am starting work at McIntosh and would like to hear from you at once. Re concrete work, I can find all labour required except the concrete man.

Re gravel, think you had better ship this, as my timbers will be blocking the creek, so making it impossible to tow heavy scow through.

The ice is about out now, so you can ship everything necessary and I will freight it over to the school.

Drop me a line at McIntosh and greatly oblige.

Yours truly,

"E. Wallace"

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

**PUBLIC ARCHIVES**  
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**CANADA**

E. E. WALLACE  
Timber Contractor

McIntosh, Ont. March 31, 1930.

Mr. C. H. Attwood,  
Dominion Water Power  
706 Commercial Bldg.,  
Winnipeg, Man.

Dear Sir:

Further to mine of the 20th inst., I submit herewith a price for the work suggested to be undertaken by myself, including hauling material from McIntosh Station to dam site, building two coffer dams, supply sandbags and tools incidental to the work, rough logs if necessary, find and supply all labour, board and wages for men and team, taking out structure after requirements have been fulfilled:-

\$590.00.....

I would suggest that I build the coffer dams of sandbags using a clay filling for centre and further bags as a stiffener on the inside. I am under the impression, owing to the fact that the bed of the lake at this point is solid rock with no, or rather very little over-lay of sand, that built as suggested, it would offer a more water-tight structure, more-over do away with the need of any timber or planking, drift bolts etc., therefore cheaper and quicker to build.

Awaiting the favour of your reply,

Yours truly,

"E. Wallace"

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

PUBLIC ARCHIVES  
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CANADA

E. E. WALLACE,

Timber Contractor.

McIntosh, Ont., March 20, 1930.

C. H. Attwood, Esq.,  
Dominion Water Power,  
706 Commercial Bldg.,  
Winnipeg, Man.

Dear Sir:

Further to our conversation of the 18th inst re dam at Indian School, McIntosh, I wish to inform you that there is some three feet six of water immediately below the log chute.

As suggested, I should advise having the necessary material at McIntosh within the next few days and I will then haul it over while the ice is still good, as this will save double handling, also enable us to start on the job immediately conditions are favourable, which should be around April 15. By the first of May the two coffer dams should be finished, and your concrete man able to start in, and the job complete and ready to take the water by the first of June, allowing two weeks for hardening.

If the building of the coffer dams is left until the water opens up, I doubt very much whether I should be able to undertake the work other than perhaps the freighting over the material, as I expect to be engaged on other work.

Re charges for work, I will submit a price to cover the cost within a few days, as I think that an overall price would be more satisfactory than a cost plus.

Yours truly,

"E. Wallace"

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

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**CANADA**

" C O P Y "

Department of the Interior  
Canada

DOMINION WATER POWER AND HYDROMETRIC BUREAU

Winnipeg, Man.,  
August 8, 1930.

Sir,

As requested in your letter of August 1st, I am enclosing in duplicate, a copy of the agreement made with Mr. E. E. Wallace for the carrying out of certain work in connection with the repair job done on the McIntosh Indian School dam. I am also enclosing, in duplicate, the correspondence between Mr. Wallace and this office, covering the arrangements made for the carrying out of the work and also correspondence relating to the settlement in payment of the work.

Mr. Wallace during the present season and also last season has been carrying on logging operations on the lakes above this dam, and passing his logs through the dam into the lakes below. He has given a great deal of trouble to the authorities at the Indian School and shows no consideration for any one else. The work he carried out in accordance with the agreement made with him by Mr. Attwood was not performed in a very satisfactory manner, inasmuch as the sand bag, Coffey Dam did not reduce the leakage to a minimum and the work was only carried out with a great deal of trouble and extra expense to this office. Accordingly, I am of the opinion that no consideration whatsoever should be given to any protest made by Mr. Wallace over the settlement of his account.

I understand he has taken the matter up with Captain Edwards, Indian Agent at Kenora and possibly with other people also. However, I would recommend that Mr. Wallace's account be paid as forwarded and amended by me.

Your obedient servant,

(Sgd.) D. B. Gow,  
Acting District Chief Engineer.

Encls.

J. T. Johnston, Esq.,  
Director, Dominion Water Power  
and Hydrometric Bureau,  
Dept. of the Interior,  
Ottawa, Ont.

Indian Affairs. (RG-10, Volume 6221, file 472-16, part 4)

PUBLIC ARCHIVES  
ARCHIVES PUBLIQUES  
CANADA

130-7-16

SEND YOUR REPLY TO  
DIRECTOR OF  
INDIAN AFFAIRS  
DEPARTMENT OF THE INTERIOR  
OTTAWA, CANADA

PW+ZB



DIRECTOR, J. T. JOHNSTON, C.E., M.E.I.C.  
ASST. DIRECTOR, V. MEEK, B.Sc., M.E.I.C.

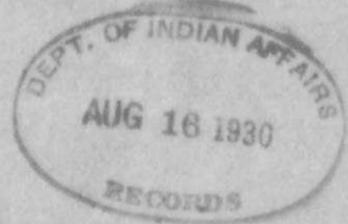
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PLEASE REFER TO ONE SUBJECT IN A  
LETTER, AND IN YOUR REPLY QUOTE

FILE NO. .... 40103-WA...

DEPARTMENT OF THE INTERIOR  
CANADA  
Hydrometric Bureau  
DOMINION WATER POWER AND ELECTRICITY  
HYDROMETRIQUE BUREAU

OTTAWA, ONT. August 14th, 1930.



*Handwritten initials*

*Handwritten signature*

Sir,

Your file number: 130-7-16.

This will acknowledge the receipt of your letter of July 31st and in compliance with the request contained therein I now enclose copies of letters dealing with the arrangement arrived at with Mr. E.E. Wallace in connection with the construction of a coffer dam at the McIntosh Indian residential school.

There is also enclosed for your information copy of a letter received from the Acting District Chief Engineer of this bureau at Winnipeg.

I trust that with this information you will be in a position to pass Mr. Wallace's account for payment.

Encl.

Your obedient servant,

*Handwritten signature of J. T. Johnston*  
J. T. Johnston,  
Director.

*Agreement of 25th April 1930 sent to Audit Office with vouchers*

A. F. MacKenzie, Esq.,  
Acting Assistant Deputy and Secretary,  
Department of Indian Affairs,  
Ottawa.

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

PUBLIC ARCHIVES  
ARCHIVES PUBLIQUES  
CANADA

McINTOSH, ONT.

130-7-16

SIOUX LOOKOUT, ONT.

**E. E. WALLACE**  
TIMBER CONTRACTOR

Sioux Lookout, Ont Sept 8 1930.

.....19.....

*Accept*

Department of Indian Affairs,  
Ottawa, Ont.

R

ACCOUNTANTS  
SEP 10 1930

DEPT. OF INDIAN AFFAIRS  
SEP 10 1930  
RECORDS

Dear Sirs:-

Ref: construction Coffe Dam at  
McIntosh, Ont. June 4 1930.

Re above, Mr Gow acting Chief Engineer of Dominion  
Water Power Service of Winnipeg, informs me under date July 21, that  
my account in the amount of \$656.25, has been forwarded on to your  
with the request that I be paid for the work done. To date I  
have heard nothing further of the matter, and would call your attention  
to the fact that it is now fourteen weeks since I finished the work  
and paid the labour and supplies on same. Might I therefore ask that  
the account now be paid.

*Sent Sept 4 to McIntosh, Ont.*

Yours truly,

*E. Wallace*

Indian Affairs. (RG-10, Volume 6221, file 472-16, part 4)

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CANADA

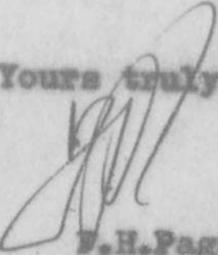
130-7-16

Ottawa, 11th August, 1930.

Dear Sir,-

In reply to your letter of the 5th instant, I beg to say that on the 4th instant, official cheque No 3457 in your favour for \$656.25 went forward to you at McIntosh, Ont., the address which you gave when rendering accounts dated 4th June for construction of Coffer Dam, etc., in connection with the McIntosh Indian Residential School. It is assumed that you have received the cheque.

Yours truly,

  
F.H. Paget,  
Chief Accountant.

Mr E.E. Wallace,  
Timber Contractor,  
Sioux Lookout,  
Ont.

Indian Affairs. (RG 10, Volume 6221, file 472-16, part 4)

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