

The Owners of Mill Dams, &c. already made.

To make a Waste Gate or ſlope, &c. &c,

Upon refusal to be liable to the ſame penalty with thoſe refusing to obey the order of the Sessions

Where the Jury ſhall find the complaint, &c. groundleſs, the party complaining to pay Coſts. Fines levied under this Act to be applied to the making of Roads.

Owners of Lands through which rivers run are entitled to the excluſive right of fiſhing.

Nothing herein contained to prevent any one fiſhing. In places appointed for that purpoſe.

The Juſtices in their firſt general Quarter Sessions, to appoint ſuch places for fiſhing as ſhall appear convenient to owners Land on ſuch Rivers

This Act not to extend to any ſea fiſh but ſuch as are mentioned in the before recited Act.

IV. *And be it further Enacted by the Authority aforeſaid, That the Owners or Proprietors of all Mill Dams or other Obſtructions already made on or acroſs any River or Stream in this Province, to which Fiſh from the Sea are or have been accuſtomed to reſort, ſhall on or before the Twentieth Day of September in the preſent Year of our Lord One Thouſand Seven Hundred and Eighty Six, make a Waste Gate or Slope in the ſame for the Purpoſes herein before declared, and if any ſuch Owner or Owners ſhall reſuſe or neglect ſo to do, he or they ſo reſuſing or neglecting, ſhall be ſubject to be proceeded againſt in the ſame Manner, and be liable to the ſame Diſtreſs, Penalty and Imprifonment, as ſuch Perſon or Perſons are ſubject and liable to by this Act, who ſhall have violated, or who ſhall have neglected or reſuſed to obey the Order of the ſaid General Quarter Sessions in Caſes of Mill Dams, or other Obſtructions to be made in future on Rivers or Streams within this Province; and in all Caſes where the Jury ſhall find the Complaint againſt any Mill Dam, or other Obſtruction, to be groundleſs, he or they ſo complaining, ſhall by the ſaid General Quarter Sessions, be adjudged to pay the Owner or Proprietor the Charges of ſaid Inqueſt, to be taxed and allowed by the Court; and all the Fines which ſhall or may be levied and paid by Virtue of this Act, are hereby directed to be paid and applied to the purpoſes of making public Roads within the County, where the offence ſhall have been committed.*

V. *And be it further Enacted by the Authority aforeſaid, That all and every of His Maſteſty's Subjects, owning or lawfully poſſeſſing Lands by or thorough, or over which any River or Stream in this Province ſhall or may run, ſhall be deemed to have the ſole and excluſive Right of taking Fiſh therein, while and ſo long as the Fiſh ſhall or may remain in ſuch Parts of ſaid Rivers or Streams; and no Perſon or Perſons whatever ſhall or may lawfully take Fiſh while being or remaining in Rivers running by, through or over ſuch Lands except the Owner or Owners, Poſſeſſor or Poſſeſſors thereof, or Perſons by Virtue of their Leave or Licence; any Uſage, Law, or Cuſtom to the contrary in any wiſe notwithstanding.*

VI. *Provided nevertheless, and it is hereby declared and enacted, That this Act or any thing therein contained, ſhall not extend or be conſtrued to extend to the depriving of any of His Maſteſty's Subjects within this Province of the liberty of taking Fiſh, in any ſuch place or Places as the Juſtices of the ſaid General Quarter Sessions ſhall or may from time to time appoint for that Purpoſe; and the ſaid Juſtices in every County which is now, or may be in future eſta bliſhed in this Province, are hereby empowered and directed at their firſt General Quarter Session to be there annually holden to appoint ſuch Place or Places on the ſeveral Rivers or ſtreams therein for the Inhabitants in general to reſort to, for the Purpoſe of taking Fiſh, as have heretofore been fixed on, or as ſhall appear to them juſt and neceſſary, and which ſhall be attended with the leaſt, loſs or Inconvenience to the Owners or Proprietors of the Soil on ſuch Rivers, and provided alſo, that nothing in this Act ſhall extend or be conſtrued to extend to any Kind or Species of Fiſh from the Sea except ſuch as are particularly enumerated in the herein before recited Act.*

VII. *“ And whereas there is no Act or Law of this Province diſtinguiſhing*