

(4.) Between the 15th day of May and the 15th day of November in each year no nets or any other fishing apparatus or contrivance shall be anchored or set within such seining district.

Provided always, that if no mackerel are being taken within such district, or the adjoining district, the local fishery officer may grant a general permit from day to day to set nets within the prescribed limits; and such officer shall have power to cancel such permit by public notice posted within the district in three different places, if mackerel appear on the coast, and to cause the removal of nets which may be set two hours after the publication of such notice, the owners to pay the cost of removal.

(5.) The permit to set nets shall apply to the owners of any nets, whether they have licenses to fish with seines or not.

(6.) No one shall sail or row a boat through or over a seine set within the limits of a berth.

(7.) No one shall disturb the waters within the limits of a berth so as to frighten fish from any portion thereof.

LICENSES.

(8.) A license shall entitle the holder to fish within the berth for which it is issued, in the manner known as seine fishing, until the holder has caught within such berth twenty barrels of mackerel, or twenty-five barrels of mackerel and herring; and the license shall thereupon determine. But such fishing shall only be carried on from the first day of May until the fifteenth day of July, and from the first day of August until the fifteenth day of November, in each year.

(9.) Berth licenses shall be numbered, the holder of license No. 1 to be entitled to the first fishing privilege within the limits of the berth named in his license.

(10.) The holder of the license next in number shall be entitled to shoot a seine at the rounded-in-arm of the seine owned by the holder of the license whose number immediately precedes his, and to the rights of fishery in the berth when the preceding license determines.

(11.) One hour after sunrise, and in the absence without lawful excuse of a license holder having first right to shoot a seine, the next licensee in order present may shoot his seine in the berth and be entitled to all the fish he may catch in that shot, from one hour after sunrise to sunset, not to exceed, however, 20 barrels of mackerel, or 30 barrels of herring.

(12.) One hour after sunrise, in the absence of any license holder in a berth, any other seine owner may shoot a seine; the first owner throwing anchor and fastening his seine line to a stake, and having sufficient crew to work the same, shall have preference in the berth, and the next in order throwing anchor and fastening his seine line to a stake may shoot his seine from the rounded-in-arm of the first.

(13.) It shall be held to be a lawful excuse if a license holder is absent from his berth because of stormy weather, or by reason of his crew being unable to pursue their usual avocation through sickness, or because the holder is attending a funeral of kinsfolk, or friend, or if he was engaged necessarily drying his seine.

(14.) Licenses shall be issued and allotted to persons entitled thereto in the order and for the berth named at a meeting of seine owners to be called by the local fishery officer for the purpose, on the first Tuesday of April and the last Saturday of July, in each year, due notice of such meeting being given.

(15.) The holder of an unexhausted license shall be entitled to all the fish taken in the last shot of the seine, notwithstanding that the quantity of the fish caught may be in excess of that required to exhaust the license.

(16.) The fee on each license shall be fifty cents.

DISTRICT.

The above district shall be considered to be divided for seine fishing purposes into the following berths:—

No. 1. *Ball Rock Berth.*—From Middle Point to Ball Rock.