

and leased, with the adjoining lands, by the original Grantees of such Townships, or their Heirs or Assigns, and have also been cleared and cultivated, and Dwelling Houses and other valuable Buildings have been erected thereon, and it is essential to the agricultural interests of this Colony, and indispensable to the commercial pursuits of its inhabitants, that the said Reserves should be used for other purposes than the Fisheries; and it is deemed necessary, for the protection of property, and to prevent litigation and disputes, that the future uses and occupation of the said Reserves should be regulated by Law:—Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for the Administrator of the Government, by and with the advice and consent of Her Majesty's Council, to appoint Two or more Conservators or Commissioners, residing in each of the Counties of this Island, who shall be Conservators or Commissioners of the Fishery Reserves within such County, and who shall have full power and authority, when and so often as occasion shall require, to enter into, examine, survey and admeasure any and all parts of the said Reserves within their respective Counties, and to adjudicate and proceed in all matters relating thereto, in such form and manner as they may deem requisite and necessary, to enable them to fulfil and discharge their duties by this Act assigned.

2. “And be it further enacted, That the Reservations so made as aforesaid shall extend five hundred feet inland from highwater mark, by a line running parallel with the boundary lines of the Farms fronting on or adjoining to the said reserved land; and where no farms shall be laid off, then by a line running the same distance, at right angles with the general course of the Coast or Gulf, without regard to minute indentations thereof; and the extent of such reserved Lands shall be deemed and taken to be on all those parts of the several Townships containing the same, which abut on the Seashore, and to the distance of One Mile within the Headlands of all Harbours and Rivers on which said Townships may be bounded, and no farther.

3. “And be it further enacted, That in all cases where any person or persons shall be found to have the beneficial occupation of any of the said Reserves, or of any part thereof, by virtue of any Grant, Deed, Lease, or other Conveyance, or shall be otherwise in the *bona fide* pos-

session of any part of the said Reserves, such persons are hereby confirmed in their respective occupations and possessions, in themselves, their heirs and assigns, respectively, (except as is hereinafter excepted,) according to the nature and quality of their respective Titles; but such right of occupation or possession shall nevertheless cease when and as often as their said Titles shall, from time to time, expire, by efflux of time, or otherwise determine, by act of law, or of the parties interested; and the said Reserves, or parts thereof, so occupied and possessed, shall revert to their original purposes.

4. “And be it further enacted, That whenever any person or persons, desirous of obtaining a part of any of the said reserved Lands, for the sole purposes of carrying on a Fishery, shall apply to the Commissioner residing nearest to the site of the said lands, and shall also make and subscribe an affidavit in the form set forth in the Schedule to this Act annexed, before the said Commissioner (who is hereby empowered to administer an Oath for that purpose), the said Commissioner is hereby directed to proceed, without unnecessary delay, to examine the piece or parcel of ground applied for, and forthwith to grant a Certificate, under his hand, stating the name of the person in possession thereof, and describing the boundaries and the area thereof, and whether in a cultivated or wilderness state, and whether the same is well, or any other adjacent piece, is more eligible for the purpose required; and shall cause a true copy of such Certificate to be served on the person in the occupation of the said Land, or at his dwelling house; and upon due application and production of the said Certificate, so signed as aforesaid, it shall and may be lawful for the Governor in Council to grant to the said applicant a Licence to occupy the Land therein mentioned and described, or such less quantity thereof, for such term of years as to the Lieutenant Governor in Council shall seem requisite and necessary: Provided always, that no Certificate shall be given, nor any Licence granted, of any part of the said reserved Lands in this Clause mentioned, so long as such parts shall be occupied by any Dwelling House, Out House, Mill, Barn, Stable, or any other valuable Building erected thereon, at the passing of this Act, or by any Orchard, Yard, Garden, or Ship Yard, or by any Right of way necessary to have full egress and ingress thereto respectively, and which shall have been held and enjoyed, or used