

C A P. IV.

An Act in Addition to, and Amendment of, an Act made in the Third Year of his present Majesty's Reign, intituled, *An Act to prevent Nuisances by Hedges, Wears and other Incumbrances obstructing the Passage of Fish in the Rivers in this Province.* 3d Geo. 3d, cap. 2.

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Preamble
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 HEREAS in and by an Act made in the third Year of his present Majesty's Reign, intituled, "An Act to prevent Nuisances by Hedges, Wears, and other Incumbrances, obstructing the Passage of Fish in the Rivers in this Province." It is Enacted, "That if any Person or Persons shall presume to erect or set up any Hedge, Wear, Fish garth, or other Incumbrance, or Place any Seine or Seines across any River in this Province, contrary to the Rules and Regulations made by the Justices in their *General Quarter Sessions* annually, such Person or Persons shall upon due Conviction thereof, forfeit and pay the Sum of Ten Pounds," *whi b Penalty in many Cases is found too high, and the Method of recovering the same inconvenient, For Remedy whereof,*

I. *Be it Enacted by the Governor, Council and Assembly,* That it shall and may be lawful for the Justices in their *General or Special Sessions of the Peace*, annually to make Rules and Orders for the Regulation of the River Fishery in their respective Counties and Districts, as they from Time to Time shall find necessary for the Preservation thereof, and to affix a Penalty for the Breach of the same, not exceeding Ten Pounds, to be recovered when the Sum does not exceed Twenty Shillings before one Justice, and when the Sum exceeds Twenty Shillings and not exceeding Three Pounds before two Justices, any Law, Usage or Custom to the contrary notwithstanding.

The Justices in their General or Special Sessions to make Regulations for the River Fishery and affix a Penalty for breach thereof not exceeding £10.

how recovered.

II. *And be it also Enacted,* That the said Justices in their Sessions as aforesaid, shall and may appoint two or more fit Persons to be Overseers of the River Fishery, who shall be sworn to the faithful Discharge of their Duty, and shall have Power to remove any Net, Hedge, Wear, Fish garth, Seine or other Incumbrance, that shall be found in any River contrary to the Regulations made by the said Justices.

The Justices to appoint two or more fit Persons to be Overseers of the River Fishery.

III. *And be it also further Enacted,* That if any Net, Hedge, Wear, Fish garth, Seine, or other Incumbrance shall be found in any River, contrary to the Regulations so made by the said Justices

If any Net, Hedge &c. is found in any River contrary to the Regulations the same with the Fish therein to be forfeit.