

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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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,* Preamble

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.

tices, and no Owner appearing to claim the same in Ten Days after public Notice shall have been given, thereof, the said Net, or Seine, shall, together with the Fish found therein, be forfeited and sold, to satisfy the Penalties aforesaid, the Overplus if any is to be paid to the Overseers of the Poor for the Use of the Poor of the Township where the Offence shall be committed.

Nothing in this Act to extend to Rivers where Fish do not resort in Seasons for spawning.

IV. *Provided*, That nothing in this Act shall be construed to extend to such Rivers, to which Fish do not resort in the Seasons for spawning.

Additions and amendments made by this Act to be in Force two Years.

V. *And be it Enacted*. That the several Additions and Amendments made to the afore recited Act, by this Act, shall continue, and be in Force for the Term of Two Years, and until the End of the Session of the *General Assembly* then next following.

C A P. V.

An Act for continuing several Acts that are near expiring.

Preamble:

WHEREAS the several Acts hereunder mentioned are near expiring, and that it is necessary the same be continued.

Several Acts concerning Bail.

6. Geo. 3. cap. 3.  
8. ————— 3.  
9. ————— 3.

Act to prevent the multiplicity of Law suits.

6. Geo. 3. cap. 2.  
Act to prescribe the Forms of Writs, &c  
6. Geo. 3. cap. 1.  
8. ————— 5.  
11. ————— 10

Act for Establishment of Fees.

6. Geo. 3. cap. 4.  
11. ————— 13  
14. ————— 5.

*Be it Enacted, by the Governor, Council and Assembly*, That an Act made in the Sixth Year of his present Majesty's Reign, intituled, *An Act concerning Bail*, and an Act made in the Eighth Year of his said Majesty's Reign, intituled, *an Act for altering amending and continuing the said Act*, and an Act made in the Ninth Year of his said Majesty's Reign, in further amendment of the said Act, also, an Act made in the Sixth Year of his said Majesty's Reign, intituled, *an Act to prevent the Multiplicity of Law Suits*, also an Act made in the Sixth Year of his said Majesty's Reign, intituled, *an Act for prescribing the Forms of Writs and the Manner of issuing the same*, and an Act made in the Eighth Year of his present Majesty's Reign, for altering, amending and continuing the said Act, and an Act made in the Eleventh Year of his said Majesty's Reign for altering, amending and further continuing the said Act, also an Act made in the Sixth Year of his said Majesty's Reign, intituled, *an Act for the Establishment of Fees, as regulated by the Governor and Council, at the Request of the House of Assembly*, and an Act made in the Eleventh Year of his said Majesty's Reign in Addition to the said Act, and an Act made in the Fourteenth Year of his said Majesty's Reign, in further Addition to, and for continuing the said Acts, shall be and continue