

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1840. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1840.

3 Victoria – Chapter 53

An Act to prevent the destruction of Oysters in the Harbours of the Counties of Westmorland and Kent. Passed 25th March 1840.

- I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall not be lawful for any person or persons to take any Oysters in any of the Bays or Harbours in the Counties of Westmorland and Kent, for the purpose of being put on board of any Vessel for exportation out of the Province, under the penalty of forty shillings for each and every offence.
- II. And be it further enacted, That all and every person or persons taking Oysters with Rakes, or otherwise, shall immediately convey and return all shells, stones, or rubbish they may rake up into the water; and if any person or persons shall not convey and return into the water such shells, stones or rubbish within the space of two hours, every person so neglecting shall for every offence incur the penalty of twenty shillings.
- III. And be it further enacted, That the aforesaid penalties, and every of them, shall and may be sued for in an action or actions of debt, in a summary way before any one of Her Majesty's Justices of the Peace in the said Counties respectively where the offence shall be committed, and when recovered, one half of such penalty shall be to the use of the person suing and prosecuting for the same, and the other half to the use of the Poor of the Parish where the offence may be committed, and paid over accordingly.
- IV. And be it further enacted, That this Act shall continue and be in force for two years.