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LAWS OF PRINCE EDWARD ISLAND.

CAP. XIII.

An Act to repeal the Act relating to the Oyster Fisheries in this Island, and to make other provisions in lieu thereof.

[Passed April 3, 1865.]

WHEREAS it is deemed desirable to prohibit the taking of Oysters in the Bays and Rivers within this Island, during certain months in every year, and to make provision for the regulation of the Oyster Fishery in said Bays and Rivers, with the view to the preservation of existing oyster beds, and the formation of new beds.

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, as follows: After the passing of this Act, no person shall do the following things, or any of them, that is to say, fish for, catch, or attempt to catch any oysters or oyster brood, in any Bay or River within this Island, between the days hereinafter mentioned, (which interval is hereinafter referred to as "the close season," that is to say, between the first day of June and the first day of September following, (both inclusive) in every year; and any person acting in contravention of this section, shall forfeit any oysters or oyster brood taken or caught by him, and shall in addition thereto, incur a penalty of not less than two pounds, and not exceeding five pounds; and a further penalty of five shillings, for, or in respect of each bushel of oysters or oyster brood so caught.

II. No person shall do any of the following things, that is to say, buy, sell or expose for sale any oysters or oyster brood, between the first day of June and the first day of September following; and any person acting in contravention of this section, shall forfeit any oysters or oyster brood, so bought, sold, or exposed for sale, and shall incur a penalty of not less than ten shillings, for each bushel of oysters or oyster brood, so bought, sold or exposed for sale.

III. No master or commander, or other person in charge of any ship or vessel, shall, during the continuance of this Act, receive on board any ship or vessel, any oysters or oyster broods, between the first day of June and the first day of September following; and every person acting in contravention of this section, shall incur a penalty of not less than five pounds, nor exceeding ten pounds, for each and every

bushel of oysters, or oyster brood, so received on board his ship or vessel.

IV. The Lieutenant Governor, or other administrator of the Government of this Island, with the consent of Her Majesty's Executive Council, shall have authority to do all or any of the following acts, that is to say: To grant under the great seal of this Island, to any person, saving the right of any person applying for a special grant by virtue of the sixteenth section of this Act, the exclusive right to fish for oysters or oyster brood, and to form new oyster beds or feeding beds, for the purpose of propagating oysters in the following rivers, that is to say: In Prince County, in Ramsay's or Shemadie River, in Richmond Bay. This River shall include the River below ordinary low water mark, and its boundaries shall be a line drawn from Cameron's Island to Harry Compton's Creek; and from the entrance of Ramsay's Creek on the north side, to John Ramsay's point. The Dunk River, which shall be taken to be, and to include all that portion of the river below ordinary low water mark, being below Hurd's Point. The upper or eastern boundary thereof, shall be a right line drawn from the extremity of Hurd's Point wharf to Wilmot Point, Township twenty-five, and thence extended to the shore under or near George Darby's, Township seventeen; the outer or western boundary thereof, shall be a line drawn from Indian Point reef to Welling's point, Township Number seventeen.

In Queen's County, The Hillsborough River, first Division, shall be taken to include the River below ordinary low water mark, between Charlottetown and the Block House, at the Harbour's mouth; the boundaries of this division shall be as follows: Its eastern boundary shall be a line drawn from the Queen's Wharf, Charlottetown, to the wharf at Minchen's Point; the southern boundary shall be a line drawn from Block House Point to Trout Point; its northern boundary, a line drawn from the Queen's wharf to York point, Township thirty-two; and its western boundary, a line drawn from York Point to Canso Point. The Hillsborough River, second division, this division shall be taken to include the Hillsborough River, below ordinary low water mark between Mount Stewart Bridge and the western boundary line of James Gillian's farm, Township Number thirty-six.

In Kings County, First Division, Brudnell Point, the boundaries of which shall be a line drawn from the western boundary of Norton's Island to Aitken's