

wharf, and shall include all suitable ground below low water mark, between that boundary and a line drawn from the lime kiln at Bourke's Point, Georgetown, to the Ferry wharf at Peter's shore. The second division shall include all below low water mark, from Morrison's beach on the south side of Cardigan River, round to the wharf on Maclellan's Point, Thrum Cap.

V. Every grant of the exclusive right to fish for oysters or oyster brood, and to form new oyster beds in any of the said last mentioned rivers, shall contain the following stipulations and provisions, namely: The term of the grant shall not be less than twenty years; it shall be renewable at the option of the grantee, his executors, administrators, or assigns, for a period not exceeding forty years, from the expiration of the original term of twenty years.

VI. If the grantee shall fail to pay any sum of money required by the grant to be paid, and the same shall remain unpaid for thirty days after such money shall thus become payable, the Lieutenant Governor, or other administrator of the Government, may, by notice to be published in the *Royal Gazette*, declare such grant to be annulled; and the same shall thereby be annulled accordingly, as fully as though it had terminated by effluxion of time.

VII. The grantee during the continuance of any grant made under the authority of this Act, shall, during the term thereof, exercise the right conferred thereby, so as not to exhaust or destroy any oyster beds in existence at the date of the grant; and shall after the expiration of the first five years, from the making of such grant, establish new oyster beds, or so treat old ones as to increase the annual yield of oysters in such river.

VIII. Any person desirous of obtaining a grant of any of the aforesaid rivers, may apply therefor by petition, to his Excellency the Lieutenant Governor, in Council.

IX. The applicant for any such grant, shall attach to his application a plan and description of the locality of which he desires a grant, which plan shall be verified by the signature of a competent land surveyor; and on receipt of such application, the Lieutenant Governor in Council shall cause the right of fishery applied for, except to such extent as shall be especially granted to or applied for by any person, by virtue of the sixteenth section of this Act, to be offered for sale at public auction, at the Colonial Building in Charlottetown; and the person who shall offer the highest annual rent therefor, shall be entitled to receive a grant thereof, in the terms of this Act.

X. Thirty days notice of such sale, shall be published in the *Royal Gazette*.

XI. All grants made in pursuance of this Act, shall be registered in the Office of the Registrar of Deeds in this Island; and plans of the localities granted shall be deposited with the Keeper of Plans.

XII. The cost of the grant and of the registry shall be paid by the grantee.

XIII. The names of all grantees, and descriptions of the localities over which the right to fish shall have

been granted, shall be annually published in the *Royal Gazette*.

XIV. All oysters or oyster brood, being within the limits of any locality, in which the exclusive right to fish shall be granted, under the authority of this Act, shall be the property of the grantee; and any person who shall fish for, catch, or attempt to catch, or to injure or disturb such oysters or oyster broods, shall be guilty of a misdemeanor, and being found guilty, shall be punished by fine or imprisonment, or both, as the Court shall award, such fine not to exceed five pounds, and such imprisonment not to exceed one month.

XV. The Lieutenant Governor or other administrator of the Government, in Council, shall, on application, grant licenses to any grantees of any of the hereinbefore described rivers, authorizing such persons to take oysters or oyster brood, during the "close season," for purposes of propagation, or for forming new beds within the limits of the rivers granted to them under the authority of this Act.

XVI. After the passing of this Act, any person owning land fronting upon any river within this Island, who may desire to form oyster beds in front of such land, shall be entitled to receive from the Lieutenant Governor in Council, a grant of the right to form such oyster beds.

XVIII. Any oysters which may be laid down by any person so obtaining a grant from the Lieutenant Governor in Council, for the purpose of forming a bed for the propagation of oysters, shall be the property of such person; and any person trespassing upon such oyster bed, or found guilty of, in any way interfering therewith, by catching or attempting to catch the same, shall be liable to the same penalties as by this Act, are inflicted upon persons guilty of interfering with oysters or oyster brood, within the limits of any of the rivers hereinbefore authorized by this Act to be granted.

XIX. Every person not being an inhabitant of this Island, who shall without the authority of the Government thereof, take up or catch any oysters at any time or season, at any place within the limits of this Island, shall forfeit and pay the sum of five shillings, for every bushel of oysters so taken up or caught by such person; such penalty, when under twenty pounds, to be recovered with costs in Her Majesty's name, before any two of Her Majesty's Justices of the Peace, on the oath and information of any person who shall sue for the same; and the offender shall, and may be arrested upon a warrant, to be issued by any one Justice, for the said penalty; provided that the penalty imposed by this clause, shall not extend to any person who shall have taken or caught such oysters, by the leave or permission of any grantee, of any oyster bed or ground, or other person having right to grant such leave or permission.

XX. All application for grants of the right to form such oyster beds, shall be accompanied by a plan of that portion of the bed of the river desired by the applicant, which said plan shall be duly verified by the signature of an authorized land surveyor.

XXI. The Lieutenant Governor in Council, shall, in all cases have the power to define the boundaries