ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. XCV.

An Act to amend Two Acts made in the Fourth Year of the Reign of Queen *Anne*, and the First Year of the Reign of King *George* the First, for the Preservation of Salmon and other Fish in the Rivers within the Counties of *Southampton* and *Wilts*. [22d *June* 1797.]

WHEREAS an Act was made in the Fourth Year of the Reign of Her late Majesty Queen *Anne*, intituled, *An Act for the Encrease and better Preservation of Salmon and other Fish in the Rivers within the Counties of* Southampton *and* Wilts; which Act was altered and amended by another Act made in the First Year of the Reign of His late Majesty King *George* the First, intituled, *An Act for the better preventing Fresh Fish taken by Foreigners being imported* Preamble. 4 *Annæ*, Cap. 21, and 1 *Geo.* 1, Cap. 18. recited.

imported into this Kingdom, and for the better Preſervaton of the Fry of Fiſh, and for the giving Leave to import Lobſters and Turbots in Foreign Bottoms, and for the better Preſervation of Salmon, within ſeveral Rivers in that Part of this Kingdom called England: And whereas the Periods limited by the ſaid laſt recited Act for taking Salmon, Salmon Peal, or Salmon Kind, or Bouges (otherwiſe called Sea Trouts), in the Rivers within the Counties of *Southampton* and *Wilts*, or offering the ſame to Sale, have been found very prejudicial to the Owners and Proprietors of the Fiſheries in the ſaid Counties, and further Proviſion is neceſſary for the better Preſervation of the Spawn, Fry, or Young Brood of Salmon, Salmon Peal, and Salmon Kind in the Rivers within the ſaid Counties: May it therefore pleaſe Your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid laſt recited Act as reſtrains the taking of Salmon, Salmon Peal, or Salmon Kind, or the offering the ſame to Sale between the Firſt Day of *Auguſt* and the Twelfth Day of *November*, and the taking of Bouges between the Eleventh Day of *November* and the Thirtieth Day of *June*, in every Year, ſhall be and the ſame is hereby repealed.

So much of 1 *Geo.* 1. as reſtrains taking of Salmon, &c. between certain Periods repealed.

II. And be it further enacted, That it ſhall and may be lawful for ſuch Owners and Proprietors, and every other Perſon or Perſons entitled to fiſh in the Rivers within the ſaid Counties, and their Servants and Agents, and they are hereby authorized and empowered, at any Time or Times from and after the paſſing of this Act, and until the Twelfth Day of *September* One thouſand ſeven hundred and ninety-ſeven, and at any Time or Times in any ſubſequent Year, between the Firſt Day of *January* and the Twelfth Day of *September*, to take, kill, or deſtroy any Salmon, Salmon Peal, or Salmon Kind, or any Bouges, or offer to Sale any of the ſaid Fiſh ſo taken between the laſt mentioned Periods.

Salmon, &c. may be taken between *Jan.* 1 and *Sept.* 12.

III. Provided always, and be it further enacted, That no ſuch Owner, Proprietor, or Perſon aforeſaid, or any of his Servants or Agents, ſhall or may at any Time or Times between the Twelfth Day of *September* One thouſand ſeven hundred and ninety-ſeven and the Firſt Day of *January* One thouſand ſeven hundred and ninety-eight, and at any Time or Times in any ſubſequent Year between the Twelfth Day of *September* and the Firſt Day of *January*, take, kill, or deſtroy, or wilfully hurt any Salmon, Salmon Peal, or Salmon Kind, or any Bouges, by Hawks, Racks, Gins, Angles, or any other Devices whatſoever, or offer to Sale any of the ſaid Fiſh ſo taken, under the like Pains, Penalties, and Forfeitures as are mentioned and contained in the ſaid firſt recited Act, any Thing in the ſaid Acts, or either of them, to the contrary thereof in anywiſe notwithſtanding.

Preſerving Salmon, &c. between *Sept.* 12 and *Jan.* 1.

IV. And be it further enacted, That if any Perſon or Perſons ſhall take, kill, or deſtroy the Spawn, Fry, or Young Brood of any Salmon, Salmon Peal, or Salmon Kind, in any of the ſaid Rivers, or in any Brook or Stream communicating with them, or either of them, or ſhall have in his, her, or their Cuſtody or Poſſeſſion any ſuch Spawn, Fry, or Young Brood, at any Time between the Tenth Day of *March* and the Thirtieth Day of *May* in any Year, every ſuch Perſon or Perſons ſhall forfeit and pay the Sum of Ten Shillings for every Parcel or Quantity of the Spawn, Fry, or Young Brood, of any ſuch Fiſh ſo taken, killed, or deſtroyed, to be levied, recovered, and applied, in the like Manner as the Penalties and Forfeitures mentioned in the ſaid recited Acts, or either of them, are directed to be levied, recovered, and applied. Preſerving the Spawn of Salmon, &c.

V. And whereas by the ſaid Act paſſed in the Fourth Year of Queen *Anne* it was directed, that there ſhould be aſſigned Overſeers of that Statute by any Two or more Juſtices of the Peace reſiding within Five Miles of the reſpective Rivers within the ſaid Counties of *Southampton* and *Wilts*: And whereas it would tend to the more effectual Preſervation of the Fiſh within the ſaid Rivers, if ſuch Overſeers were to be conſtantly aſſigned: Be it therefore enacted, That the Juſtices of the Peace for the ſaid Counties reſpectively reſiding within Five Miles of any of the ſaid Rivers ſhall, and they are hereby directed and required, at any Quarter or Special Seſſions of the Peace to be holden within Six Months after the paſſing of this Act, to aſſign Overſeers for the Purpoſes directed by the ſaid recited Act; and ſhall Once in every Year, at any ſuch Quarter or Special Seſſions on or before the Firſt Day of *November*, aſſign the ſame or other Perſons to be Overſeers for the like Purpoſes, and ſuch Perſons ſo aſſigned ſhall execute, do, and perform, all the Powers and Authorities granted to the Overſeers by the ſaid recited Act, any Thing therein contained to the contrary notwithſtanding. For aſſigning Overſeers to preſerve the Fiſh.

VI. And whereas it was by the ſaid Act enacted, That all Owners and Occupiers of Mills upon any of the Rivers in the ſaid Counties ſhould conſtantly keep open One Scuttle or Hatch of a Foot ſquare in the Waſte Hatch or Watercourſe in the direct Stream wherein no Water Wheel ſhould ſtand, ſufficient for the Salmon to paſs and repaſs freely up and down the ſaid Rivers, from the Eleventh Day of *November* to the One-and-thirtieth Day of *May* in every Year: And whereas it is expedient to extend the Time limited by the ſaid recited Act for keeping open ſuch Scuttle or Hatch: Be it therefore enacted, That all Owners and Occupiers of Mills upon the ſaid Rivers ſhall conſtantly keep open the ſaid Scuttle or Hatch in the Manner directed by the ſaid recited Act, from the Eleventh Day of *November* to the Eleventh Day of *July* in every Year, under the like Pains, Penalties, and Forfeitures, as are contained in the ſaid recited Act. For keeping open the Scuttle or Hatch for a longer Period.

Publick Act. VII. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

FINIS.