

[37 & 38 VICT.] *Oyster and Mussel Fisheries Orders* [Ch. xviii.]
Confirmation Act, 1874.



CHAPTER xviii.

An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Menai Straits and Paglesham. A.D. 1874.
[30th June 1874.]

WHEREAS an Order made by the Board of Trade under The Sea Fisheries Act, 1868, is not of any validity or force what-
ever until the confirmation thereof by Act of Parliament: 31 & 32 Vict. c. 45.

And whereas it is expedient that the several Orders made by the Board of Trade under the said Act, and set out in the schedule to this Act, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen'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, as follows:

1. The several Orders set out in the schedule to this Act shall be and the same are hereby confirmed, and all the provisions thereof in manner and form as they are set out in the said schedule shall, from and after the passing of this Act, have full validity and force. Confirmation of Orders in schedule.

2. This Act may be cited as The Oyster and Mussel Fisheries Orders Confirmation Act, 1874. Short title.

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The SCHEDULE of Orders.

MENAI STRAITS.—Establishment and Maintenance of Several Oyster and Mussel Fishery.

PAGLESHAM.—Establishment and Maintenance of Several Oyster and Mussel Fishery.

MENAI STRAITS.

Menai Straits.

Order for the Establishment and Maintenance, by The Anglo-American Oyster Company (Limited), of a Several Oyster and Mussel Fishery in the Menai Straits, in the counties of Anglesea and Caernarvon.

Undertakers.

1. The Anglo-American Oyster Company (Limited), of 33, Abchurch Lane, London, (in this Order called the Company,) shall be the Undertakers of the fishery mentioned in this Order.

Limits of fishery.

2. The following are the Company's fishery grounds under this Order (as shown on plans deposited with the Board of Trade); namely, all that part of the bed of the Menai Straits, in the counties of Anglesea and Caernarvon, containing an area of 180 acres, or thereabouts, and bounded as follows; that is to say,

On the north-east by an imaginary straight line drawn from the westernmost spit of Lavan Sands to the red buoy on the opposite side of the strait; on the south-west by a similar line drawn from the landing stage of the ferry at Bangor Point to the landing stage of the ferry at Garth Point; and on the north-west and south-east by the line of low-water mark of ordinary spring tides, except opposite the River Ogwen, at which point the boundary shall be an imaginary straight line drawn across the mouth of the said river from the spit on Lavan Sands above mentioned, in a south-westerly direction, to low-water mark of ordinary spring tides on the opposite side of the river.

Right to several fishery.

3. This Order confers on the Company a right of several oyster and mussel fishery within the limits above mentioned, but shall not interfere in any manner with any persons using seine, tuck, or other nets, who do not fish for and take oysters or mussels.

Marking of limits and notice thereof.

4. The limits of the said several fishery are marked out on the said plan deposited at the Board of Trade, and shall be further marked or buoyed out as the Board of Trade may from time to time direct. If buoys are used to mark the limits, the Company shall at their own expense provide and maintain the buoys, of

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such size, shape, and colour as the Corporation of Trinity House of Deptford Strond may from time to time direct. Notice of the said limits and the mode of marking them may be given to fishermen, dredgermen, and other persons, as follows; that is to say, by advertisements in the local newspapers, and by handbills posted in and about the neighbourhood. In the event of the marks or buoys mentioned above being obliterated or removed by storm or otherwise, they shall be replaced by the Company.

Menai Straits.

5. No buildings, erections, embankments, or other works, other than the marks mentioned in Article 4. of this Order, shall at any time be commenced or executed within the limits above described without the previous sanction and approval in writing of the Board of Trade.

Works not to be commenced without assent of Board of Trade.

6. The Company shall render to the Board of Trade such accounts of their capital, expenditure, and income, and of all oysters and mussels sold by the Company, in such form and at such times as the Board of Trade may require; and shall allow the Board of Trade, or any person appointed by the Board of Trade, to inspect the fishery, and all books and documents in their possession relating thereto, and shall give to such Board or person all such information relating thereto as they or he may require.

Company to give accounts of capital, receipts, and expenditure of oysters and mussels sold.

7. This Order shall continue in operation for sixty years from its confirmation by Act of Parliament, and no longer.

Duration of Order.

8. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866."

Saving rights under Crown Lands Act, 1866.

9. This Order shall not be taken to prejudice, take away, or affect such legal rights (if any) as the Corporation of Beaumaris may have in the fishery, or in that part of the soil thereof which is above the line of low-water mark of extraordinary spring tides.

Saving rights (if any) of Beaumaris Corporation.

10. This Order may be cited as "The Menai Straits Fishery Order, 1874."

Short title.

PAGLESHAM.

Paglesham.

Order for the Establishment and Maintenance by John Smith, of Burnham, Essex, Oyster Merchant, of a Several Oyster and Mussel Fishery at Paglesham in the river Roach, in the county of Essex.

1. John Smith, of Burnham in the county of Essex, oyster merchant, his executors, administrators, and assigns, (in this Order called the Undertakers,) shall be the Undertakers of the fishery mentioned in this Order.

Undertakers.

2. The following are the fishery grounds under this Order (as shown on a plan deposited at the Board of Trade, and marked "Paglesham Fishery Order, 1874"); namely, all those parts of the foreshore and bed of the river Roach adjacent to the parish of Paglesham in the county of Essex, containing an area

Limits of fishery.

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of three acres three roods twenty-nine poles or thereabouts, and bounded as follows; (that is to say,) on the north by the foreshore at low-water mark, ordinary neap tides; on the east by an oyster-bed belonging or reputed to belong to Mr. Frederic Wiseman; on the south by an oyster-bed belonging or reputed to belong to the executors of the late Mrs. Wiseman; and on the west by an oyster-bed belonging or reputed to belong to Mrs. Sainsbury; all of which boundaries are shown on the plan aforesaid.

Right to
several fishery.

3. This Order confers on the Undertakers a right of a several oyster or mussel fishery within the limits above mentioned.

Marking of
limits and
notice thereof.

4. The limits of the said several fishery are marked out on the said plan deposited at the Board of Trade, and shall be further marked or buoyed out as the Board of Trade may from time to time direct.

If buoys are used to mark the limits, the Undertakers shall, at their own expense, provide and maintain the buoys, of such size, shape, and colour as the Corporation of Trinity House of Deptford Strond may from time to time direct.

Notice of the said limits, and the mode of marking them, may be given to fishermen, dredgermen, and other persons, as follows; (that is to say,) by advertisements in the local newspapers, and by handbills posted in and about the neighbourhood.

In the event of the marks or buoys mentioned above being obliterated or removed by storm or otherwise, they shall be replaced by the Undertakers.

Works not to
be commenced
without assent
of Board of
Trade.

5. No buildings, erections, embankments, or other works, other than the marks mentioned in Article 4. of this Order, shall at any time be commenced or executed within the limits above described without the previous sanction and approval in writing of the Board of Trade.

Undertakers
to render
accounts, &c.

6. The Undertakers shall render to the Board of Trade such accounts of capital, expenditure, and income of all oysters and mussels sold by them, in such form and at such times as the Board of Trade may require; and shall allow the Board of Trade, or any person appointed by the Board of Trade, to inspect the fishery, and all books and documents in their possession relating thereto, and shall give to such Board or person all such information relating thereto as they or he may require.

Duration of
Order.

7. This Order shall continue in operation for sixty years from its confirmation by Act of Parliament.

Saving rights
under Crown
Lands Act,
1866.

8. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866."

Short title.

9. This Order may be cited as "The Paglesham Fishery Order, 1874."