certify, that the said Attorney (*or* Solicitor) is duly enrolled in the Court of Queen's Bench at Dublin (*or as the Case may be*), (*or* a Solicitor in the High Court of Chancery in Ireland), and is entitled to practise as such Attorney or Solicitor, upon this Certificate being duly stamped as required by Law.

Given under the Hand of the Secretary of the Incorporated Law Society (as such Registrar), this Day of 18 .

} *Secretary's Signature.*

FORM (B.)

Form of Annual Declaration for obtaining the Registrar's Certificate.

No.

I hereby declare, that I (*or A.B.*) was admitted an Attorney (*or* Solicitor, *as the Case may be,*) of the Court of in Term, in the Year and that my (*or* his) Place or Places of Business are as follow:

Dated this 18 .

A.B. (*or C.D.* Partner (*or* Dublin Agent) of the said *A.B.*)

To

The Registrar of Attorneys and Solicitors in Ireland.

CAP. LXXXV.

An Act to facilitate the Establishment, Improvement, and Maintenance of Oyster and Mussel Fisheries in *Great Britain*. [6th *August* 1866.]

BE it 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:

Short Title.

1. This Act may be cited as The Oyster and Mussel Fisheries Act, 1866.

Interpretation of Terms.

2. In this Act the Words "Oysters" and "Mussels" respectively include the Brood, Ware, Half-ware, Spat, and Spawn of Oysters and Mussels respectively.

Power for Board of Trade on Memorial to make Order for Oyster Fishery.

3. An Order for the Establishment or Improvement, and for the Maintenance and Regulation, of an Oyster or Mussel Fishery on the Shore and Bed of the Sea, or of an Estuary or tidal River, above or below, or partly above and partly below, Low-water Mark (which Shore and Bed are in this Act referred to as the Sea Shore), may be made under this Act, on an Application by a Memorial in that Behalf presented to the Board of Trade by any Person, Persons, Company, or Body desirous of obtaining such an Order (which Person, Persons, Company, or Body are in this Act referred to as the Promoters).

Publication of Draft Order and Notice to Owners of adjoining Lands, &c.

4. If on Consideration of the Memorial the Board of Trade think fit to proceed in the Case, the Promoters shall cause printed Copies of the Draft of the Order as proposed by them (with such Modifications, if any, as the Board of Trade require) to be circulated in such Manner as the Board of Trade think sufficient and proper for giving Information to all Parties interested, and shall give Notice of the Application, in such Manner as the Board of Trade direct or approve, to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers (if any) of the Portion of the Sea Shore to which the proposed Order relates, and of the Lands adjoining thereto.

5. During

Objections and Representations respecting Order.

5. During One Month after the first Publication of the Draft Order the Board of Trade shall receive any Objections or Representations made to them in Writing respecting the proposed Order.

Inquiry into proposed Order by public Sittings.

6. Where the Promoters seek to obtain a Several Oyster or Mussel Fishery, the Board of Trade shall, as soon as conveniently may be after the Expiration of the said Month, and in other Cases the Board of Trade, if they think fit, at any Time after the Expiration of that Month, may appoint some fit Person to act as Inspector respecting the proposed Order.

The Inspector shall proceed to make an Inquiry concerning the Subject Matter of the proposed Order, and for that Purpose to hold a Sitting or Sittings in some convenient Place in the Neighbourhood of the Portion of the Sea Shore to which the proposed Order relates, and thereat to take and receive any Evidence and Information offered and hear and inquire into any Objections or Representations made respecting the proposed Order, with Power from Time to Time to adjourn any Sitting; and the Inspector may take Evidence on Oath or otherwise, as he thinks expedient, and may administer an Oath or take any Affidavit or Declaration for the Purpose of the Inquiry, and if any Person wilfully gives false Evidence in any Examination on Oath in any such Inquiry, or in an Affidavit to be used in any such Inquiry, he shall be deemed guilty of Perjury.

Notice shall be published in such Manner as the Board of Trade direct of every such Sitting (except an adjourned Sitting) Fourteen Days at least before the holding thereof.

Report of Inspector.

7. The Inspector shall make a Report in Writing to the Board of Trade, setting forth the Result of the Inquiry, and stating whether in his Opinion the proposed Order should be approved, with or without Alteration, and if with any, then with what Alteration, and his Reasons for the same, and the Objections and Representations, if any, made on the Inquiry, and his Opinion thereon.

Settlement and making of Order.

8. As soon as conveniently may be after the Expiration of the said Month, or after the Receipt by the Board of Trade of the Report of the Inspector, if any, they shall proceed to consider the Objections or Representations that have been made respecting the proposed Order and the Report of the Inspector, if any, and thereupon they shall either refuse the Application or settle and make an Order in such Form and containing such Provisions as they think expedient.

Publication of Order.

9. Where the Board of Trade make an Order, the Promoters shall cause it to be published and circulated in such Manner as the Board of Trade think sufficient for giving Information to all Parties interested, and shall give Notice of it, in such Manner as the Board of Trade direct or approve, to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers (if any) of the Portion of the Sea Shore to which the Order relates, and of the Lands adjoining thereto.

Expenses connected with Order.

10. All Expenses incurred by the Board of Trade in relation to any Memorial, or to any Order consequent thereon, shall be defrayed by the Promoters, and the Board of Trade shall, if they think fit, on or at any Time after the Presentation of the Memorial, require the Promoters to pay to the Board of Trade such Sum as the Board of Trade think requisite for or on account of those Expenses, or to give Security to the Satisfaction of the Board of Trade for the Payment of those Expenses on Demand.

Confirmation of Order by Act of Parliament.

11. An Order of the Board of Trade under this Act shall not of itself have any Operation, but the same shall have full Operation when and as confirmed by Act of Parliament, with such Modifications, if any, as to Parliament seem fit.

Reference of Order to Select Committee if opposed.

12. If in the Progress through Parliament of a Bill confirming an Order a Petition is presented to either House of Parliament against the Order, the Bill, as far as it relates to the Order petitioned against, may be referred to a Select Committee, and the Petitioner shall be allowed to appear and oppose as in case of a Private Bill.

Amendment of Order.

13. The Board of Trade may from Time to Time make an Order for amending an Order that has been confirmed by Act of Parliament; and all the Provisions of this Act relative to an original Order shall apply also to an amending Order, *mutatis mutandis*.

Power for Grantees to remove Oysters, &c. from public to private Oyster Bed at all Seasons without Prejudice to Provisions of 6 & 7 Vict. c. 79.

14. Subject and without Prejudice to the Provisions of the Act of the Session of the Sixth and Seventh Years of Her Majesty's Reign (Chapter Seventy-nine), "to carry into "effect the Convention between Her Majesty and the King of the *French* concerning the "Fisheries in the Sea between the *British Islands* and *France*," and of any Act amending the same, and of any Order in Council lawfully made thereunder, and notwithstanding anything in or done under any other Act, the Persons, Company, or Body obtaining an Order under this Act (who are in this Act referred to as the Grantees), and the Owners of any private Oyster Bed lawfully formed independently of this Act, and their respective Agents, Servants, and Workmen, may at any Season dredge for and take Oysters from any natural public Oyster Bed for the Purpose of supplying or replenishing therewith any Oyster Bed made under the Order, or any such private Oyster Bed (as the Case may be), and may apply the Oysters so taken accordingly; but if any Person applies or uses, or any Persons, Company, or Body knowingly authorize or permit to be applied or used, otherwise than in manner authorized by this Section, any Oysters so taken, such Person, or such Persons, Company, or Body (as the Case may be), shall be liable to all the like Penalties and Consequences to which he or they would have been liable if this Section had not been inserted in this Act.

Effect of Grant of Several Oyster Fishery.

15. Where an Order of the Board of Trade under this Act confers a Right of Several Oyster or Mussel Fishery, the Grantees under the Order shall have by virtue of the Order and of this Act, within the Limits of the Fishery, the exclusive Right of depositing, propagating, dredging and fishing for, and taking Oysters or Mussels (as the Case may be); and in the Exercise of that Right may, within the Limits of the Fishery, proceed as follows, namely,—make and maintain Oyster Beds, and (notwithstanding anything in or done under any other Act) at any Season collect Oysters or Mussels (as the Case may be), and remove the same from Place to Place, and deposit the same as and where they think fit, and do all other Things which they think proper for obtaining, storing, and disposing of the Produce of their Fishery.

Property in Oysters within Several Fishery.

16. All Oysters or Mussels being in or on an Oyster or Mussel Bed within the Limits of any such Several Fishery shall be the absolute Property of the Grantees, and in all Courts of Law and Equity and elsewhere, and for all Purposes, civil, criminal, or other, shall be deemed to be in the actual Possession of the Grantees.

Property in Oysters removed from Several Fishery.

17. All Oysters or Mussels removed by any Person from an Oyster or Mussel Bed within the Limits of any such Several Fishery, and not either sold in Market overt or disposed of by or under the Authority of the Grantees, shall be the absolute Property of the Grantees, and in all Courts of Law and Equity and elsewhere, and for all Purposes, civil, criminal, or other, the absolute Right to the Possession thereof shall be deemed to be in the Grantees.

Protection of Several Fishery.

18. It shall not be lawful for any Person other than the Grantees, their Agents, Servants, and Workmen, within the Limits of any such Several Fishery, or in any Part of the Space within the same described in this Behalf in the Order, knowingly to do any of the following Things:—

To use any Implement of Fishing, except a Line and Hook or a Net adapted solely for catching floating Fish, and so used as not to disturb or injure in any Manner any Oyster or Mussel Bed, or Oysters or Mussels, or the Oyster or Mussel Fishery:

To dredge for any Ballast or other Substance except under a lawful Authority for improving the Navigation:

To deposit any Ballast, Rubbish, or other Substance:

To place any Implement, Apparatus, or Thing prejudicial or likely to be prejudicial to any Oyster or Mussel Bed, or Oysters or Mussels, or to the Oyster or Mussel Fishery, except for a lawful Purpose of Navigation or Anchorage:

To disturb or injure in any Manner, except as last aforesaid, any Oyster or Mussel Bed, or Oysters or Mussels, or the Oyster or Mussel Fishery:

And if any Person does any Act in contravention of this Section he shall on summary Conviction be liable to the following Penalty, namely,—to a Penalty not exceeding Two Pounds for the First Offence, and not exceeding Five Pounds for the Second Offence, and

and not exceeding Ten Pounds for the Third and every subsequent Offence; and every such Person shall also be liable to make full Compensation to the Grantees for all Damage sustained by them by reason of his unlawful Act, and in default of Payment the same may be recovered from him by the Grantees by Proceedings in any Court of competent Jurisdiction, whether he has been prosecuted for or convicted of an Offence against this Section or not.

Limits of Fishery to be kept marked out.

19. Provided always, That nothing in the last foregoing Section shall make it unlawful for any Person to do any of the Things therein mentioned, if at the Time of his doing the same the Limits of the Several Fishery or of the Space within the same described in that Behalf in the Order are not sufficiently marked out in manner prescribed by or under the Order, or if Notice of those Limits has not been given to him in manner so prescribed.

Fishery to be within County.

20. The Portion of the Sea Shore to which an Order of the Board of Trade under this Act relates (as far as it is not by Law within the Body of any County) shall for all Purposes of Jurisdiction be deemed to be within the Body of the adjoining County, or to be within the Body of each of the adjoining Counties, if more than One.

Limitation on Term of Several Fishery.

21. The Board of Trade shall not in any Case make an Order conferring a Right of Several Oyster or Mussel Fishery for a longer Period at once than Sixty Years.

Condition for Cesser of Several Fishery, if no adequate Benefit.

22. A Right of Several Oyster or Mussel Fishery conferred by an Order of the Board of Trade under this Act, or by any Special Act of the present Session, shall, notwithstanding anything in the Order, or in any such Special Act, be determinable by a Certificate of the Board of Trade (which Certificate they are hereby empowered to make), certifying to the Effect that the Board of Trade are not satisfied that the Grantees under the Order, or the Company under the Special Act (as the Case may be) are properly cultivating the Oyster or Mussel Ground within the Limits of such Fishery; and on any such Certificate being made, the Right of Several Fishery by such Order or Special Act conferred shall, by virtue of this Act and of the Certificate, be absolutely determined, and all Provisions of this Act or of such Special Act shall cease to operate in relation to such Fishery as a Several Oyster or Mussel Fishery; and Section Thirty-eight of The *Roach River* Oyster Fishery Act, 1866, is hereby repealed. 29 & 30 Vict. c. cxlv.

For the Purposes of this Provision the Board of Trade may from Time to Time, with respect to any such Fishery, make such Inquiries and Examination by an Inspector or otherwise, and require from the Grantees or Company such Information, as the Board of Trade think necessary or proper, and the Grantees or Company shall afford all Facilities for such Inquiries and Examination, and give such Information, accordingly.

Consent with respect to Rights of the Crown or Duchies of Lancaster and Cornwall.

23. Where any Portion of the Sea Shore proposed to be comprised in an Order of the Board of Trade under this Act belongs to Her Majesty, Her Heirs or Successors, in right of the Crown, but is not under the Management of the Board of Trade, or forms Part of the Possessions of the Duchy of *Lancaster* or of the Duchy of *Cornwall*, the Board of Trade shall not make the Order without such Consent as herein-after mentioned, namely,—

In the first-mentioned Case of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them:

In the secondly-mentioned Case of the Chancellor of the Duchy of *Lancaster* in Writing under his Hand attested by the Clerk of the Council of the Duchy:

In the thirdly-mentioned Case of the Duke of *Cornwall*, or other the Persons for the Time being empowered to dispose for any Purpose of Lands of the Duchy of *Cornwall*.

Compensation to Landowners, &c.

24. Where any Portion of the Sea Shore comprised in an Order of the Board of Trade under this Act does not belong to Her Majesty, Her Heirs or Successors, in right of the Crown, or form Part of the Possessions of the Duchy of *Lancaster* or of the Duchy of *Cornwall*, the Board of Trade shall incorporate in the Order "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation (*Scotland*) Act, 1845," as the Case requires, and shall apply the Provisions thereof respectively to the Purchase or taking of such Portion of the Sea Shore.

Order not to be made affecting Local Act, &c. without Consent.

25. It shall be the Duty of the Board of Trade not to make in any Case an Order that will take away or abridge any Right, Privilege, Power, Jurisdiction, or Authority given or reserved to any Body, Company, or Person by any Local or Special Act of Parliament, or by any Royal Charter or Letters Patent, without the Consent of such Body, Company, or Person; but every Order, when confirmed by Act of Parliament, shall be of full Force and Effect, any Local or Special Act, Charter, Letters Patent, Custom, Licence, Permission, Instrument, or Thing notwithstanding.

Copies of Order and Acts to be kept for Sale.

26. The Persons, Company, or Body obtaining an Order under this Act shall at all Times keep at some convenient Place, in the Neighbourhood of the Portion of the Sea Shore to which the Order relates, Copies of the Order with the Act confirming it, and of this Act, printed respectively by some of Her Majesty's Printers, and shall sell such Copies to all Persons desiring to buy them at a Price not exceeding Sixpence for One Copy of each of the Acts and of the Order together.

If any such Persons, Company, or Body fail to comply with this Provision, they shall for every such Offence be liable on summary Conviction to a Penalty not exceeding Five Pounds, and to a further Penalty not exceeding One Pound for every Day during which such Failure continues after the Day on which the First Penalty is incurred.

Annual Report of Board of Trade.

27. There shall be annually laid before both Houses of Parliament a Report of the Board of Trade respecting the Applications to and Proceedings of the Board of Trade under this Act during each Year.

Act not to extend to Ireland.

28. Nothing in this Act shall extend to *Ireland*, or to any Oyster or Mussel Fishery on the Coast of *Ireland* or in any Estuary thereof, or in any way to prejudice or affect the Owner of any such Oyster or Mussel Fishery, or to authorize the taking of Oysters or Mussels from any natural public Oyster or Mussel Bed in *Ireland*, or any Estuary thereof, by the Grantees of any Oyster or Mussel Bed under this Act, or by the Owners of any private Beds lawfully formed independently of this Act, or by any other Person or Persons whomsoever; nor shall this Act alter or repeal any Law, Rule, or Byelaw now or hereafter to be in force having relation to *Irish* Fisheries.

CAP. LXXXVI.

An Act for vesting the Glebe Lands of the Vicarage of *Rochdale* in the County of *Lancaster* in the Ecclesiastical Commissioners for *England*, and for making Provision for the Endowment of the said Vicarage in lieu thereof; and for the Promotion of other Ecclesiastical Purposes connected therewith. [6th *August* 1866.]

'WHEREAS the Endowment of the Vicarage of *Rochdale* in the Diocese of *Manchester* 'mainly consists of certain Glebe Lands of which the greater Part has been built 'upon, and the Residue is valuable for Building Purposes, and the annual Proceeds of 'the said Glebe Lands at present exceed the Sum of Four thousand Pounds, and it is 'anticipated that such Proceeds will increase in future Years:

'And whereas the Rev. *John Edward Nassau Molesworth*, D.D., is the present Vicar of 'the said Vicarage, and the Right Rev. Father in God *James Prince*, by Divine Permission 'Lord Bishop of *Manchester*, is the Ordinary thereof, and also the Patron in right of 'his See:

'And whereas for promoting the greater Efficiency of the Established Church it is 'expedient that upon the First Avoidance of the said Vicarage the Glebe Lands and other 'Endowments thereof should be vested in the Ecclesiastical Commissioners for *England*, 'upon special Trust to provide a fixed annual Sum by way of Endowment for the future 'Vicars of *Rochdale*, and annual Sums by way of Augmentation or Endowment of Churches

'or