CHAP. ii.

An Act to confirm an Order made by the Board of Trade under The Sea Fisheries Act, 1868, relating to the Frith of Forth. A.D. 1871.

[25th May 1871.]

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

And whereas it is expedient that the Order 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 Order set out in the schedule to this Act shall be and the same is 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 Order in schedule.

2. This Act may be cited as The Oyster and Mussel Fisheries Order Confirmation Act, 1871. Short title.

A.D. 1871.

SCHEDULE.

Edinburgh.

EDINBURGH OYSTER AND MUSSEL FISHERY.

Order for the establishment and maintenance by the Right Honourable the Lord Provost, Magistrates, and Council of the City of Edinburgh, of a Several Oyster and Mussel Fishery, in the Frith of Forth, in the counties of Fife and Edinburgh.

Undertakers.

1. The Right Honourable the Lord Provost, Magistrates, and Council of the City of Edinburgh, herein-after called "the Corporation," shall be the Undertakers of the fishery mentioned in this Order.

Limits of fishery.

2. The following are the fishery grounds of the Corporation under this Order (as shown and delineated on plans or charts deposited at the Board of Trade), namely, all those parts of the bed of the Frith of Forth situate within the several parishes of Aberdour, Burntisland, Kinghorn, and Abbotshall, or in one or more of them, in the county of Fife, and within the several parishes of Cramond, North Leith, South Leith, and Duddingston, or in one or more of them, in the county of Edinburgh, and containing an area of three nautical square miles and five hundred and forty-two decimal parts (3·542) of a nautical square mile or thereabouts; and bounded as follows, that is to say,—On the north by an imaginary straight line drawn from the Mickry Stone to the north-west point of the Island of Inchkeith until it intersects a straight line drawn from Nelson's Monument, in Edinburgh, on with the Martello Tower; on the west by a straight line drawn from the point of intersection last mentioned to the extreme west point of the Röst; on the north by the southern side of the Röst; on the north-east by a straight line drawn from the extreme east point of the Röst to a point where the northern and south-eastern boundaries of the oyster scalps, at present claimed or occupied by the Corporation, intersect each other; on the south by a line drawn from the point of intersection last mentioned, through the south point of the Island of Inchkeith, until it meets a point where the eastern and northern boundaries of the oyster scalps, at present claimed or occupied by the Duke of Buccleuch, intersect each other; and thence by another line drawn due west from the point of intersection last above mentioned to the Mickry Stone.

Right of several oyster and mussel fishery.

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

Marking out limits, and notice thereof.

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

may also be given to fishermen, dredgermen, and other persons by advertisement in an Edinburgh newspaper, or otherwise, as the Board of Trade may direct.

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

5. No buildings, erections, embankments, or other works 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 give accounts of capital, receipts, and expenditure, and of oysters and mussels sold.

6. The Corporation shall render to the Board of Trade such accounts of their capital, expenditure, and income, and 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.

Fishery grounds to be deemed within the county of Edinburgh.

7. The portion of the Corporation's fishery grounds not within the county of Edinburgh shall, for all the purposes of this Order, and for all purposes of jurisdiction, civil, criminal, or otherwise, be deemed to be within the county of Edinburgh.

Duration of Order.

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

Saving rights under "The Crown Lands Act, 1866."

9. 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.

10. This Order may be cited as "The Edinburgh Fishery Order, 1870."

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Printers to the Queen's most Excellent Majesty. 1871.