CHAPTER i.

An Act to confirm an Order made by the Board of Trade under the Sea Fisheries Act, 1868, relating to Tollesbury and Mersea, in the River Blackwater (Essex). [23d May 1879.]

A.D. 1879.

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:

Confirmation of Order in schedule.

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.

Short title.

2. This Act may be cited as the Oyster and Mussel Fisheries Order Confirmation Act, 1879.

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SCHEDULE.

TOLLESBURY AND MERSEA.

Order for the Establishment and Maintenance by the Tollesbury and Mersea (Blackwater) Oyster Fishery Company, Limited, of a several Oyster and Mussel Fishery at Tollesbury and West Mersea, in the Estuary of the River Blackwater, in the County of Essex.

Undertakers.

1. The Tollesbury and Mersea (Blackwater) Oyster Fishery Company, Limited (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 at the Board of Trade, namely:

All that part of the bed of the River Blackwater, in the parishes of Tollesbury, East and West Mersea, and Bradwell-on-the-Sea respectively, or some or one of them, which is covered by water at a low neap tide, containing an area of one thousand five hundred and ninety-nine acres, or thereabouts, and bounded as follows; that is to say, on the west by the line forming the eastern extremity of the ground granted to the Fish and Oyster Breeding Company, Limited, by the Blackwater (Essex) Oyster Fishery Order, 1868, confirmed by the Oyster Fisheries Orders Confirmation Act, 1868; on the east by an imaginary line drawn in a south-westerly direction from a beacon to be placed at neap tides low water mark on the north foreshore of the River Blackwater at the entrance of the creek called "Bossom," to a beacon to be placed at neap tides low water mark on the south foreshore of the River Blackwater at a point directly opposite to the first-mentioned beacon; on the north in part by the line of low water at neap tides on the Tollesbury side of the River Blackwater, on other part of the north by Virley Channel, and on the remaining part of the north by the line of low water at neap tides on the Mersea side of the said river; and on the south by the line of low water at neap tides on the Bradwell side of the said River Blackwater:

And also all that part of the bed of the creek called "Thurslett Creek," in the parishes of Tollesbury aforesaid and Goldhanger, or one of them, containing an area of 30 acres, or thereabouts, which is covered with water at low neap tides (except such parts, if any, of the said creek as may belong to private owners):

And also all that part of the bed of the creek called "Thorn Fleet" and "Deeps," in the parishes of Great and Little Wigborough, Tollesbury, Peldon, and West Mersea, some or one of them, containing an area of

216 acres, or thereabouts, which is covered with water at low neap tides (except such parts, if any, of the said creek as may belong to private owners).

Right to several fishery.

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

Marking of limits.

4. The limits of the said several fishery shall be marked out as follows; that is to say,

As to that part of the proposed fishery which forms part of the bed of the River Blackwater by eight beacons, two on the foreshore on the north-west side of the proposed fishery between the entrance to Thurslett Creek and Nass Point, one on the east end of the foreshore at Cob Marsh Flats, one on the foreshore on the north side of the entrance to the creek called "Bossom," and one on the foreshore at the south-east extremity of the said fishery directly opposite to the said beacon on the north side of the entrance to "Bossom Creek," two on the foreshore at equal distances between the beacon at the south-east extremity of the said fishery and the beacon next herein-after mentioned, and the remaining one on the foreshore at the south-west extremity of the said fishery:

As to Thurslett Creek by five beacons, two at equal distances on the foreshore on the south-west side, and three on the foreshore on the north-west side of the said creek:

As to Thorn Fleet and Deeps by eleven beacons, one on the south foreshore at the entrance to Tollesbury Fleet opposite Old Hall Point, one on the foreshore at Old Hall Point, one on the foreshore at Sunken Island Point, one on the foreshore at Salcott Fleet Point, one on the foreshore forming the northern extremity of Thorn Fleet, one on the foreshore on the north-west side of the entrance to Sampson's Creek, one on the foreshore at Ray Marsh immediately opposite the last-mentioned beacon, one on the north and one on the south foreshore of the entrance to the passage way called "The Gut," one on the southern foreshore of Packing Marsh, and one on the south-west foreshore of Cob Marsh Island:

All the said beacons are to be placed at the low water mark at ordinary neap tides.

Notice of limits.

5. In the event of the marks, or any of them, by the last foregoing article prescribed being obliterated by storm or otherwise, they shall be replaced by the Company, and notice of the said limits shall be given to fishermen, dredgermen, and other persons as follows; that is to say,

By advertisement in the "Times," "Chelmsford Chronicle," "Essex Weekly News," and "Essex Telegraph" newspapers, or any other newspaper which may from time to time circulate extensively in or near the said parishes; by notices at the Custom Houses at Colchester, Wyvenhoe, and Maldon respectively, at the Cinque Port and Board of Trade warehouse at Brightlingsea, and at the coastguard stations at Tollesbury, West Mersea, and Bradwell; and by notice boards erected on the banks of the River Blackwater and the several creeks included in the said fishery.

Works not to be commenced without assent

6. No buildings, erections, embankments, or other works, other than the marks mentioned in article 4 of this Order, shall at any time be commenced

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or executed within the limits above mentioned without the sanction and approval in writing of the Board of Trade.

of Board of Trade.

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

7. 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 time 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 as they or he may require.

Duration of Order.

8. This Order shall continue in operation for 60 years from its confirmation by Act of Parliament and no longer.

Saving rights under 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 Tollesbury and Mersea (Blackwater) Fishery Order, 1878.

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Printers to the Queen's most Excellent Majesty. 1879.