

said Act who has reported to us that he is of opinion the same is expedient in all parts except that it places the power of licensing in the Selectmen when it is more fit that such power should be entrusted to His Majesty's Governor by whom it is more likely to be impartially executed.

This objection in which we concur with Mr Jackson does appear to us of so much weight against the Act in question that however expedient it may be in other particulars We are of opinion that it will be advisable for Your Lordships to recommend to His Majesty to signify His Majesty's Royal disallowance of this Act." — *Lords of Trade to Lords of the Council, Mar. 3, 1774: "Mass. Bay, B. T.," vol. 86, p. 323.*

CHAPTER 45.

AN ACT TO PREVENT THE DESTRUCTION OF SALMON AND OTHER FISH IN MERRIMACK RIVER, WITHIN THIS PROVINCE.

Preamble.

WHEREAS the salmon and other fish taken in Merrimack River, within this province, have been of great service to the inhabitants, and still will be so if due care is taken to prevent the unnecessary destruction thereof; and whereas, some persons have, of late, enlarged their seines to such an extraordinary length as have greatly obstructed the passage of said fish, by using such seines so as to extend quite across said river, which if not prevented will tend to destroy the valuable fishery in said river, —

Be it enacted by the Governor, Council and House of Representatives,

Penalty:

[SECT. 1.] That no person or persons whatsoever, from and after the first day of April next, and so during the continuance of this act, be allowed to catch salmon, or other fish, with seines or nets more than sixteen rods in length, in said river; and if any person or persons shall presume to catch fish with seines or nets of any greater length, he or they shall, for each offence, forfeit and pay the sum of forty shillings, to be recovered by action before any of his majesty's justices of the peace for the county where such offence shall be committed; one moiety whereof shall be for him or them who shall sue for the same, and the other moiety shall be to and for the use of the poor of the town where such offence shall be committed.

— how to be recovered and applied.
Limitation.

[SECT. 2.] This act to be in force two years from and after the first day of April next, and no longer. [*Passed and published March 6, 1773.*]

CHAPTER 46.

AN ACT TO IMPOWER THE INHABITANTS OF THE TOWN OF ROCHESTER, IN THE COUNTY OF PLIMOUTH, TO REGULATE THE TAKING OF FISH WITHIN THE HARBOURS AND COVES OF SAID TOWNSHIP.

Disallowed by the Privy Council, June 1, 1774.

Preamble.

WHEREAS there are sundry harbours and coves within the town of Rochester which have numbers of various kind of fish, but, by the drawing of seines under no regulation, the fish have been greatly diminished therein, to the damage of said inhabitants, and injury of the poor, —

Be it therefore enacted by the Governor, Council and House of Representatives,

Inhabitants, empowered to regulate the

[SECT. 1.] That the inhabitants of said town are hereby fully empowered, at a meeting or meetings to be called for that purpose, to