

T A S M A N I A.



1 8 7 6.

ANNO QUADRAGESIMO

VICTORIÆ REGINÆ,

No. 12.

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AN ACT to amend "The Trout Act, 1873." A.D. 1876.  
[20 November, 1876.]

**W**HEREAS it is expedient to amend the "The Trout Act, 1873:" **PREAMBLE.**  
Be it therefore enacted by His Excellency the Governor of *Tasmania*, **37 Vict. No. 17.**  
by and with the advice and consent of the Legislative Council and  
House of Assembly, in Parliament assembled, as follows:—

**1** Section Seven of the "The Trout Act, 1873," is hereby repealed; **Repeal.**  
but such repeal shall not affect anything duly done or any offence com-  
mitted before the commencement of this Act, which shall be dealt with  
as if this Act had not been passed.

**2** If any person fishes for, catches, or kills Trout without being duly **Persons not**  
licensed under "The Trout Act, 1873," he shall for every such offence **licensed liable to**  
forfeit and pay a penalty not exceeding Two Pounds; he shall forfeit all **penalty for fishing,**  
rods, tackle, or other instruments used by him in fishing for, catching, or **&c.**  
killing Trout as aforesaid; and shall also be liable to pay the full licence  
fee payable by such person over and above the said penalty.

**3** If any person uses any fish-roe for the purpose of fishing for **Penalty for using**  
Trout, he shall be liable to a penalty not exceeding Two Pounds. **roe as a bait.**

**4** One moiety of every penalty imposed under "The Trout Act, **One moiety of**  
1870," "The Trout Act, 1873," or this Act, shall go to the informer **penalty to**  
or person suing for the same. **informer.**

**5** In all legal proceedings taken against any person for any breach **Onus of proof.**  
of or non-compliance with the provisions of "The Trout Act, 1870,"

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*Trout Act, 1876.*

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A.D. 1876.

“The Trout Act, 1873,” or of this Act, the *onus* of proving that such person was duly licensed, or was otherwise exempted from the operation of any penalty imposed by the said Acts or this Act, shall in all such cases rest upon the defendant, who shall in all such proceedings be competent but not compellable to give evidence, anything contained in any law or practice to the contrary notwithstanding.

Evidence.

Acts to be read together.

**6** This Act and The Trout Act, 1870, and The Trout Act, 1873, shall, save so far as the same are altered by any Act or by this Act, be read and construed together as one Act.

Short title.

**7** This Act may be cited as “The Trout Act, 1876.”