

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday the Eleventh day of February, 1819, in the Fifty-Ninth year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the First Session of the Eleventh General Assembly, convened in the said Province.

59 George III – Chapter 27

An Act to continue and amend an Act, to encourage persons concerned in the Lumber Trade, and authorising Courts of Session to make regulations for preventing obstructions in bringing the same, with other articles, down the several Rivers in this Province.

Be it enacted, by the Lieutenant-Governor, Council and Assembly, that the said act, passed in the fifty-eighth year of His present Majesty's reign, entitled, "An Act to encourage persons concerned in the Lumber Trade," and authorising Courts of Session to make regulations for preventing obstructions in bringing the same, with other articles, down the several rivers of this province, and every clause, matter and thing, therein contained, and the several clauses hereinafter mentioned, in addition thereto, be, and the same is hereby continued in force, until the twentieth day of March, which will be in the year of Our Lord one thousand eight hundred and twenty, and from thence to the end of the next session of the general assembly, and no longer.

And whereas, the river St. Mary's, in the county of Sydney, is, at times, during the spring and autumn, so large and rapid at the head of the tide on the said river, that it is impracticable to stop timber, sawmill logs, cordwood, or other lumber, that may be floated down the said river, without having a boom across the same, in what is called Still Water, to stop the said articles, until the said river shall be at a proper height to carry them over the falls, and another boom at Sherbrooke Village, near the head of the tide, to prevent the said articles from going adrift until taken away or otherwise secured; for remedy whereof:

II. Be it further enacted, that it shall and may be lawful for the justices of the peace of the said county of Sydney, in their general sessions, by regulations by them to be made, to authorise the placing and upholding of two booms on the said river, in such places as shall be deemed most proper with the consent of the owner of the soil bordering on either side of the said river, and for such length of time as to them may seem necessary for the purposes aforesaid, and also to make such rules and regulations as may prevent the said booms from obstructing the navigation of the said river.

And whereas, a small number of the inhabitants on said river, in order to provide means for preparing and placing booms across the said river, have entered into a subscription, and have appointed a certain number of shares in the said booms when placed as aforesaid, and that each person be assessed for the expense thereof, in proportion to the number of shares for which he may have subscribed, or shall hold in the said booms; and whereas, the said booms will be of general utility to all persons who are or may be concerned in taking timber,

and other articles, down the said river, who of right out to contribute towards the expense of placing and keeping of the said booms, in proportion to the benefit and advantage they may severally and respectively derive therefrom:—

III. Be it therefore further enacted, that the said justices, in their general sessions, shall and may fix the rates of boomage that shall be paid to the proprietors of the said booms, on lumber of every description that may be brought down the said river, and secured by the said boom or booms, and the manner in which the same shall be collected and applied to the use of the said booms, and the surplus, if any, to the owners thereof; and make such regulations respecting the taking of such lumber from the upper to the lower boom, as may be necessary; and also appoint fit and proper persons to take charge of the said booms, and to collect all such sum or sums of money as shall or may become due under and by virtue of the regulations to be made as aforesaid.

IV. And be it further enacted, that, after the publication of this act, any special sessions to be lawfully holden within the said county of Sydney, shall have full power and authority to make any and all of the rules, regulations and appointments, herein before mentioned, which shall be and remain in full force and effect until the first general sessions of the peace shall thereafter be holden in and for the said county, and no longer.

V. And be it further enacted, that three fair copies of the regulations to be made under the provisions of this act, shall, immediately after the same shall have been agreed to, be posted up at the three most public places on said river.