

III. *And be it further enacted,* That if any person or persons shall hereafter fell any tree or trees standing on the banks of said rivers, and cast and leave the same across said banks, or shall cut down and leave on said banks, any log or logs, or other heavy bodies, such person or persons, shall for each tree, log, or other heavy body felled, cut down, or left on, or across said banks, in manner aforesaid, forfeit and pay a fine or penalty of twenty shillings, to be recovered by complaint to a justice of the peace, as in the case of refusal to labour on the highways, and appropriated for the purpose of clearing said rivers, by the surveyors within whose district the offence shall be committed. And the said surveyors are hereby authorized to command the assistance of the inhabitants of the parish for the purposes aforesaid, in like manner as for working on the highways, and the work so done by each person shall be considered and returned by said surveyor and allowed for, as so much work done on the highways.

Persons felling trees, &c. on banks of rivers to forfeit and pay for each tree, &c.

Surveyors to command assistance of inhabitants and work allowed as in case of highways.

~~CAP. XXXIV.~~

An ACT for securing the NAVIGATION of the RIVER MAGGAUGAUDAVICK.

WHEREAS the security of the free navigation of the river Maggaugaudavick through its extensive communications, must be highly conducive to the settlement thereof, and greatly tend to the encouragement of the lumber trade, at present the most important branch of commerce in the province.

Preamble.

II. *Be it enacted by the Governor, Council and Assembly,* That no person or persons shall raise a dam or throw a boom across the main river Maggaugaudavick, and any person or persons so offending shall forfeit the sum of twenty pounds, the half of which sum shall be for the informer and the other half for the poor of the township where the offence shall be committed, to be recovered by bill, plaint or information, in any of his Majesty's courts of record within this province.

Persons raising dams, &c. across the river Maggaugaudavick to forfeit £20.

III. *Provided always,* That it shall and may be lawful to throw a boom or booms across said river at or below the carrying-place or portage, immediately above the first falls of said river, which falls are next adjoining to the salt water, for the purpose of stopping masts, spars, rafts or other lumber to be hauled over the said portage where the height and rapidity of the stream renders the further conveyance of them by water unsafe.

Booms may be thrown across said river at or below the carrying-place above the first falls, and by masts, &c.

IV. *And be it enacted,* That any person or persons who may think it expedient to erect a mill or mills, upon said river Maggaugaudavick,

Persons erecting mills upon said carrying-place,

may raise dams
half across the
river.

gangaudavick, in any part thereof above the carrying-place or portage before-mentioned, shall have a power or privilege to erect a dam or dams, or to lay a boom or booms which shall not extend more than half way across said main river, the half distance to be estimated in the drought of summer or in the season when the water of this river shall be deemed at the lowest.

Dams &c. may
be made across
the river above
the grand forks,
leaving fairer-
ways for boats,
&c.

V. *Provided*, That above the grand forks, supposed about twenty-seven miles from the first falls, any person may have permission to throw a dam or boom across the river, provided there is left in said dam or booms, sufficient sluiceway or passage for conveying boats, rafts of boards, or other lumber through the same. And every person convicted of offending herein, on trial by indictment for a public nuisance, at the court of sessions held for the county, shall be fined at the discretion of the said court, not exceeding twenty pounds, who are hereby empowered on such conviction, to order the said nuisance to be abated.

Two justices
may on view or-
der such booms
removed.

VI. *And be it enacted*, That any two of his Majesty's justices of the peace upon their own view or upon the oath of two or more credible witnesses, have power, and they are hereby directed to order any such boom or booms to be removed.

CAP. XXXV.

An ACT to prevent the malicious killing or maiming of CATTLE.

Be it enacted by the Governor, Council and Assembly,

Persons mali-
ciously killing
horses, &c. shall
forfeit treble
damages to the
owner.

THAT if any person or persons shall maliciously, unlawfully and willingly kill, maim, wound or otherwise hurt any horses, neat cattle, swine, sheep or other cattle, every such offender or offenders shall forfeit and pay unto the party grieved, treble the damages which he or they shall sustain, to be recovered by action of trespass, or upon the case in any of his Majesty's courts of record in this province.

CAP. XXXVI.

An ACT for regulating Inn-holders, Tavern-keepers, and Retailers of Spirituous Liquors.

I. Be it enacted by the Governor, Council and Assembly,

Retailers &c.
selling wine, &c.
on trust to sel-

THAT from and after the publication hereof, no retailer, inn-holder, tavern or ale-house keeper, who shall sell
upon