

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1786. Saint John, NB: J. Ryan, 1786.

26 George III – Chapter 33

An Act for regulating and facilitating the Navigation of the River Saint John, and other rivers in this province

Whereas the navigation of the river Saint John, and other rivers in this province, and particularly in those parts thereof where from the rapids, and for other causes, it is often found necessary to tow small vessels, boats, and rafts of lumber, along the sides, and near the shores of said rivers, is often obstructed by felling trees, standing on the banks of said rivers, and by casting and leaving the same across said banks; partly on the banks, and partly in said rivers, and by logs, and other heavy bodies being deposited and lodged by the freshes and otherwise, on said banks, and on the shores of said rivers.

II. Be it enacted by the Governor, Council, and Assembly, That the commissioners and surveyors of roads that shall be annually appointed or chosen in the several towns or parishes, in the respective counties in this province, shall be surveyors of rivers, who shall take care that all rivers, and the banks and shores thereof, within the respective districts assigned them, be cleared of all such incumbrances and obstructions to the navigation thereof, that they may be safe and convenient for the aforesaid purposes of passing up and down the same, with small vessels, boats and rafts of lumber, in manner as aforesaid, and the surveyors are hereby empowered to cut down, dig up and remove all sorts of trees, bushes, or other thing or things, that may any way straighten, hurt, hinder, incommode, impede, or obstruct the navigation of said rivers with small vessels, boats, or rafts of lumber, by towing the same or otherwise; and to warn all labourers, owners of carriages, teams and boats, or other things fit and necessary to be employed for the above purposes.

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.