

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 34

**An Act for securing the navigation of the river Maggaugaudavick
[Magaguadavic]**

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.

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.

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 said 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.

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, 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.

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.

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.