

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1787.* Saint John, NB: J. Ryan, 1787.

27 George III – Chapter 2

**An Act to authorize the respective proprietors of certain Islands in the River St. John, and other Rivers in this Province, to make rules and regulations for their better improvement and cultivation.**

Whereas there are many Islands lying in the River Saint John, and other rivers in this Province, owned in small rights or shares, and on which division fences are liable to be carried away by the current, and pressure of the water passing in times of freshes over the same.

I. Be it enacted by the Lieutenant-Governor, Council and Assembly, That the respective proprietors of the said Islands may and are hereby authorised to meet once a year, on the first day of the winter Sessions, in the respective bounties in which such islands are included; and such and so many of the respective proprietors of the said islands as shall be present, shall have power by a major vote to make and pass orders, rules and regulations for the managing, improving, and better husbandry of the said islands, the voices of the respective proprietors present to be collected according to their respective rights or shares under actual cultivation and improvement. And if any of the said proprietors shall in disobedience of the votes, orders, rules and regulations, so made and passed, occupy, husband, manage or improve his, her or their respective shares or rights, contrary to such votes, orders, rules and regulations, he she or they shall be subject to an action of trespass, for the damage sustained by any proprietor, and shall forfeit and pay to the use of the poor of the respective parish to which the Island containing such shares or rights belong, a fine of forty shillings for each and every offence, to be recovered on complaint to a Justice of the Peace, who is hereby empowered to hear and determine the same, provided the said action of trespass or complaint be prosecuted within one month.

II. And the said votes, orders, rules and regulation, made and passed as aforesaid, shall be reduced to writing, and subscribed by the major part of the proprietors present, cohering their voices as aforesaid, and afterwards deposited with the Clerk's of the Peace for the respective counties, and shall be in force for one year and no longer.

III. Provided also, That the said respective proprietors of the said Islands may meet at such times and places in the present year as shall be fixed and stated by two justices in each county, on application of any one or more of said proprietors.

IV. And for the security and protection of the said Islands against trespasses, it is also enacted, that the water surrounding them and each of them, shall be deemed and taken in law a lawful sence.

V. This act to continue and be in force for three years and no longer.