

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1835. Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1835.

5 William IV – Chapter 21 (Session 1)

An Act to provide for the establishing and maintaining a Boom for securing Masts, Logs and Lumber in the County of York. Passed 17th March 1835.

Whereas it has been found necessary to erect a Boom on the River Nashwaak in the County of York for the purpose of securing such Timber as may be hauled out and thrown into the same until it can be conveniently rafted by the respective owners: and whereas it is expedient that proper regulations should be established to insure the sale delivery of the same to the owners;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That it shall and may be lawful for His Majesty's Justices of the Peace for the said County of York in their General Sessions to make and establish such rules and regulations as to them may appear proper respecting such Boom as has been erected or may hereafter be erected on said River, and to appoint Boom master or masters from time to time, and to establish fees for attending to such Booms and superintending the safe delivery of the Lumber passing through the same Provided always, that such Boom be so constructed as to secure a clear and sufficient sluice way or passage for conveying boats, rafts of hoards or other lumber through the same.

II. And be it enacted, That any person or persons who shall violate any of the rules so to be made as aforesaid, shall forfeit and pay a sum not exceeding five pounds with costs for each and every offence; to be recovered on conviction thereof by the oath of one or more credible witness or witnesses before any one of His Majesty's Justices of the Peace for the said County of York, to be levied by Warrant of distress and sale of the offender's goods and chattels, rendering the overplus (if any) to such offender, and for want of sufficient goods and chattels whereon to levy, the said Justice is hereby authorised and required to commit such offender to the common Gaol of the said County, there to remain for term not less than five and not exceeding ten days.

III. And be it enacted, That one half of every penalty which may be recovered for the breach of any rule or regulation made by virtue of this Act shall be paid to the person or persons who shall prosecute for the same, and the other half thereof shall be paid to the overseers of the poor of the Town or Parish where such offence had been committed, to be applied to the use of the poor of such Town or Parish.

IV. And be it enacted, That each and every of the Parishioners on the said Nashwaak River shall be considered as competent witnesses in any prosecution under this Act, excepting any person entitled as prosecutor to any part of the penalty sued for.

V. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and thirty-seven and no longer.