

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1844. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1844.

7 Victoria – Chapter 37

An Act for more effectually securing the Navigation of the River and Harbour of Saint John, in the City and County of Saint John. Passed 13th April 1844.

Whereas a number of Mills have been erected for the manufacture of Lumber along the banks of the River, and around the Harbour of Saint John, in the City and County of Saint John, and great quantities of slabs and edgings are there cut and thrown into the said River and Harbour, thereby filling up the channel, injuring the anchorage, and obstructing the navigation thereof;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, any person or persons who may be the owner or owners of any Mill or Mills already erected, or that may be erected on or near any part of the Banks or Shores of the River or Harbour of Saint John, or of any Bay, Cove, Creek or Stream falling into the said River or Harbour of Saint John, within the City and County of Saint John, for the manufacture of Lumber of any description, or any person or persons who may be engaged in manufacturing Lumber in any such Mill or Mills, who shall throw, or cause, suffer or permit to be thrown, by any person or persons who may in any way be employed by them, any slabs, edgings, rinds, bark, or chips made or cut at any such Mill or Mills, or shall suffer or permit the same, or any part thereof to fall, roll or float into any part of the said River or Harbour of Saint John, within the said City and County of Saint John, or into any Bay, Cove, Creek or Stream falling into the said River or Harbour, within the said City and County, every such owner of such Mill or Mills, or other person or persons manufacturing Lumber at any such Mill or Mills, or any person or persons whether interested in the manufacture of such Lumber or otherwise, offending against the provisions of this Act, shall forfeit and pay a fine for every such offence of a sum not exceeding twenty pounds, nor less than one pound, to be recovered, with costs of suit, before any two of Her Majesty's Justices of the Peace for the City and County of Saint John, at the suit of the Treasurer of the said County for the time being, on the oath of one or more credible witness or witnesses, and to be levied by warrant of distress and sale of the offender's goods and chattels; and if no goods or chattels can be found whereon to levy the same, then the offender or offenders to be committed by the warrant of the Justices to the Common Gaol of the said City and County, there to remain for any time not exceeding fifty days, unless the amount of such fine and costs shall be sooner paid; and such fine, when recovered, shall be paid into the hands of the Treasurer of the said County, for the public uses thereof: Provided always, that no conviction under this Act shall be had or recorded against any Mill owner or manufacturer aforesaid for a breach of this Act by any other person or persons who may have become bona fide purchasers of any of the articles aforesaid, or may have obtained the same for their own use or for consumption, unless the said Mill owner or manufacturer may have been privy or consenting thereto, for the purpose of getting clear of the cuttings and rubbish aforesaid.