

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1847. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1847.

10 Victoria – Chapter 80

An Act to amend the Act to incorporate the Maduxnikik Boom Company. Passed 14th April 1847.

Whereas it is expedient to amend the Act made and passed in the eighth year of the Reign of Her Majesty Queen Victoria, intituled *An Act to incorporate the Maduxnikik [Meduxnekeag] Boom Company*, and to enlarge the powers of the said Company;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Maduxnikik Boom Company shall have full power and authority to erect a Sluice or Sluices near to, upon, or by the Falls of the Maduxnikik River, near the mouth of said River, in order to convey Rafts, Timber, Logs, Masts, Spars, and other Lumber, over the said Falls, and also to build one or more Pier or Piers and one or more Boom or Booms across the mouth of said Maduxnikik River.

II. And be it enacted, That it shall be the duty of the said Corporation, and they are hereby required to float down into the said Boom, and securely raft, in a substantial manner, with good and substantial boom poles, and in such joints as are usually made for floating Timber, Masts, Spars, Logs, or other Lumber, down the River Saint John, preparatory to their being put in large rafts for transportation to Saint John, ail such Timber, Masts, Spars, Logs, or other Lumber, as the owner or owners thereof shall have furnished the said Corporation, or their agent, with the marks, before such Timber, Masts, Spars, Logs, and other Lumber, shall come into the upper Boom; and the said Corporation shall be entitled to receive therefor a sum not exceeding one shilling and three pence per ton for every ton of Pine, Spruce, or Hemlock Timber, so rafted as aforesaid; and a sum not exceeding one shilling and eight pence per ton for every ton of Birch or other Hardwood Timber so rafted as aforesaid; and a sum not exceeding three shillings per thousand for each and every thousand superficial feet of Logs, Masts, Spars, and other Lumber, so rafted as aforesaid; such sum to include and be in lieu of the toll or boomage of two pence per ton for Timber, and of six pence per thousand for Masts, Spars, Logs, and other Lumber, imposed and provided by the above recited Act to incorporate the Maduxnikik Boom Company.

III. And be it enacted, That if the owner or owners of such Timber, Logs, Masts, Spars, and other Lumber, do not, by themselves, or their agent or agents, attend at the Boom every morning by eleven of the clock, and pay the boomage, and take charge of and remove such Timber, Logs, Masts, Spars, and other Lumber, the said Corporation shall have power to remove such Timber, Logs, Masts, Spars, and other Lumber, to some place of safety, at the risk and expense of the owner or owners thereof, such Corporation being required to use ordinary care in the removal and keeping of the said Timber, Logs, Masts, Spars, and other Lumber; and if the owner or owners thereof shall not within six days after such Timber, Logs, Masts, Spars, and other Lumber, shall have been removed to such place of safety as aforesaid, pay the boomage, and take charge of

such Timber, Logs, Masts, Spars, and other Lumber, then and in such case it shall and maybe lawful for the said Corporation, and they are hereby authorized if they see fit, to send the said Timber, Logs, Masts, Spars, and other Lumber, to Saint John, at the risk of the owner, and then, after ten days personal notice, or thirty days notice in a Newspaper published in Woodstock, to sell so much thereof as shall be sufficient to pay the boomage, together with the usual freight and expenses of taking the same to Saint John, expense of keeping, expenses of the sale, and all other incidental expenses, rendering the overplus (if any) to the owner, and the remaining part of such Timber, Masts, Spars, Logs, and other Lumber, shall be kept till required by the owner, at his risk and expense.

IV. And be it enacted, That it shall be the duty of the said Corporation to keep a correct Register of all the marks of any Timber, Logs, Masts, Spars, and other Lumber, which they may send to Saint John under the authority of this Act.

V. And be it enacted, That if any person or persons shall make fast any raft or rafts, or joint or joints of Timber, Logs, or other Lumber, to the said Booms or Shores, so as to interfere with the rafting of the said Company, that then it shall be lawful for the said Company, or their agents, to remove the same to some convenient place of safety; and the owner or owners of the said raft or rafts, joint or joints of Timber, Logs, Masts, Spars, and other Lumber, shall pay the expenses incurred by such removing of such Timber, Logs, Masts, Spars, or other Lumber.

VI. And be it enacted, That there shall be allowed said Corporation, as toll for sluicing rafts of Timber, Logs, Masts, Spars, or other Lumber, through said Sluice, such Timber, Logs, Masts, Spars, or other Lumber, being rafted before coming to the Boom by the owner or owners thereof, the sum of two shillings for each and every joint of Timber, Logs, Masts, Spars, or other Lumber, run through said Sluice.

VII. And be it enacted, That this Act shall continue and be in force so long as the said Act to which this is an amendment shall continue and be in force, and no longer.