

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1849. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1849.

12 Victoria – Chapter 12

An Act to legalize the conveyance of Water to Turner's Grist Mill, in the Parish of Saint Patrick, in the County of Charlotte. Passed 8th March 1849.

Whereas Richard Turner, of the Parish of Saint Patrick, in the County of Charlotte, has built a Grist Mill at the head of Tide-water at Bocabec Marsh, (so called); and whereas for the purpose of driving the machinery of said Grist Mill, it was necessary and convenient to convey the Water to said Mill by troughs to be laid across and under the surface of the Queen's Highway; and whereas the said Mill is of great public benefit;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Richard Turner, owner, owners or occupiers of said Mill, to erect, build, keep up and maintain such troughs as may be required to convey the Water for the purpose of driving the machinery of said Mill, across and under the surface of the said Highway; provided nevertheless, that the Supervisor or Commissioners of said Highway, or the major part of them, shall be at liberty to order and cause the removal of said troughs, for the purpose of repairing the said Highway, when and so often as the same may be found necessary in the opinion of the Supervisor or Commissioners for the time being, or the major part of said Commissioners; provided also, that nothing herein contained shall be construed to permit any impediments to the free and unobstructed use of the said Highway for all Her Majesty's subjects and others passing and repassing; and should any obstruction take place, or should any injury be caused to the said Highway by or in consequence of the construction or maintaining of the said troughs, the same shall be deemed and taken to be a common nuisance.