

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1862.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1862.

25 Victoria – Chapter 56

**An Act to authorize the Justices of the Peace for the County of Northumberland to make rules and regulations for the protection and management of Booms for Lumber. Passed 23rd April 1862.**

Section.

1. Sessions to make regulations.
2. Rates and Tolls, how recovered.

Section.

3. Violation of Rules; penalty.
4. Penalty, how appropriated.

Whereas it is desirable and necessary that rules and regulations should be made for the management and protection of the Booms established on the River Miramichi, and its branches, including the River Tabusintac, in the County of Northumberland, for the protection and safe keeping of Lumber and other property floated down the said River and its branches, including the River Tabusintac, and the safe delivery thereof to the owners;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The General Sessions or any Special Sessions of the Pence for the County of Northumberland, shall and may from time to time, and as often as they shall find it necessary, make and establish rules and regulations for the government, management, and upholding of all Booms already established on the River Miramichi and its branches, and also on the River Tabusintac; appoint Boom masters, and fix the rates or fees and tolls to be paid to such Boom masters for the boomage of all timber, logs and lumber going into or passing through any such boom; provided that nothing herein shall authorize the interfering with any Corporation, or persons authorized by law to establish a boom.
2. All such rates or fees and tolls, the Boom masters may recover, with costs, in an action of debt in their own names, against the owner or owners of such timber, logs or lumber, before any Justice of the Peace where the amount does not exceed twenty dollars, and where it exceeds that sum, before any Court of Record in this Province; or such Boom masters may retain a lien on such timber, logs and lumber for the said rates or fees and tolls, and if the same be not paid within ten days after an account of the same is rendered to the owner or owners of such timber, logs and lumber, then it shall be lawful for such Boom masters, on giving six days' notice of sale, by serving notice thereof on the owner or owners, and posting three copies in the Parish where the boom may be situate, to make a sale at public auction of the said timber, logs and lumber, and out of the proceeds to retain all such rates or fees and tolls, with the expenses of sale, and if there be any surplus the same to pay over to the owner or owners.

3. That any person or persons who shall violate any of the rules or regulations that shall from time to time be in force, shall be liable to a penalty of not exceeding twenty dollars for each and every offence, to be sued for and collected under the provisions of Chapter 138, Title xxxvii, of the Revised Statutes, 'Of Summary Convictions;' and the Boom master may be a witness to prove any such offence.

4. That all penalties recovered under this Act shall be paid, one moiety to the person who shall prosecute for the same, and the other moiety to the boom master of the Parish where the boom is established, to be applied by him towards the keeping up and maintaining of such boom.