

II. And be it enacted, That the said Corporation may erect and maintain a Boom across the said Tobique River, at some convenient place below the Narrows thereof, for the purpose of stopping and securing Timber, Logs, Masts, Spars, and other Lumber floating upon the said River, and may erect certain Piers and Booms, such as they may think necessary; provided that the said Booms be so constructed as to admit the passage of rafts and boats, and preserve the navigation of the River; but no person shall be allowed at any time to encumber the said Boom, either with rafts of Timber, Logs, or other Lumber, nor be allowed a passage through the same with such rafts, when the opening of the Boom for that purpose would endanger the safety of any Timber, Logs or other Lumber contained therein.

Power to erect the Boom and Piers.

Navigation of River to be preserved.

III. And be it enacted, That nothing in this Act shall authorize or be construed to authorize the said Corporation to enter upon the lands, or use the private property of any person or persons for the purpose of erecting or securing the said Boom, without their consent first had and obtained for that purpose.

Private rights reserved.

IV. And be it enacted, That it shall be the duty of the Corporation to cause the passage ways or open space in said Boom to be carefully guarded, so that no Lumber may be permitted to escape; and if the owner or owners of any Timber, Logs, Masts, or other Lumber, do not wish the said Corporation to raft their Timber, Logs, Masts, or other Lumber, that it shall be the duty of the owner or owners thereof to raft and take said Timber out of said Boom; but in case the owner or owners of said Timber, Logs, Masts, or other Lumber, do not remove the said Timber, Logs, Masts, or other Lumber from said Boom, that after said Timber, Logs, Masts, or other Lumber remain in said Boom for two days, it shall be lawful for said Corporation to raft said Timber and Logs, Masts, and other Lumber, safe and securely in joints, loaded suitably for the navigation of the River Saint John, for Pine Timber, with two good boom poles at least, and hard wood pins, said joints to be of the size as are commonly made, and to secure the same below the Boom twenty four hours; and if the owner or owners, on the expiration of the time aforesaid, have not removed or taken charge of the same, by putting his or their ropes thereon, the Corporation may remove or secure, the same in some convenient place, and the owner or owners shall pay such expenses as may arise in the removal or securing the same; and should any person suffer loss in consequence of the neglect or carelessness of the said Corporation or their Agent or Agents, the said Corporation shall be accountable for such loss; and the said Corporation shall cause the Timber, Logs or other Lumber to be rafted without any unnecessary delay, as soon after it comes into the Boom as possible, the said Corporation not being bound to drive any Timber, Logs or other Lumber into the Boom that may be aground above it.

Duty of Corporation in respect of securing the Boom;

Of owners of lumber not to be rafted by the Corporation.

V. And be it enacted, That if any person or persons shall wilfully injure or destroy the said Boom or any Pier thereof, such person or persons so offending, shall upon conviction thereof before any two of Her Majesty's Justices of the Peace for the County of Carleton, forfeit and pay a sum not exceeding ten pounds, with costs of prosecution, to be levied by warrant of distress and sale of offender's goods and chattels, rendering the overplus, if any, to the offender or offenders; and for want of sufficient goods and chattels whereon to levy, it shall and may be lawful for such Justices to issue their warrant to commit such offender or offenders to the Common Gaol of the County, there to remain without bail or main prize for such period as may be specified in such warrant, not exceeding one day for every two shillings of such penalty.

Penalty for wilfully injuring the Boom or Piers.

Recovery.

VI. And be it enacted, That there be allowed to the Corporation a toll or boomage upon all Square Timber thus boomed, the sum of six pence per ton, and for rafting and securing as aforesaid, the sum of ten pence per ton upon all Timber, and the sum of two shillings per thousand superficial feet for rafting other Lumber, and the sum of nine pence per thousand superficial feet for the boomage of all Logs; and that the said Corporation shall have a lien on all Timber and other Lumber thus boomed and rafted, for the payment of all such toll or boomage and other expenses; such person or persons owning Timber or other Lumber, to furnish to the Corporation or their Agent, a proper and correct description of his or their several marks, before the same comes into the Boom; the Corporation shall not be bound to secure or take care of any Timber or Lumber until the marks are so furnished; and if no owner appears to claim Timber or Lumber so coming into the Boom, it may after twenty days notice be sold;

Boomage granted to the Corporation.

Lien.

Marks.

Unclaimed lumber.