

## A BILL to incorporate the Salmon River Boom Company.

WHEREAS the erection of a Boom or Booms at or near the public landing at Daniel Briggs', in the Parish of Chipman, County of Queen's, and Province of New Brunswick, will be a great benefit to persons engaged in the lumber business, by enabling them to secure timber, logs, and other lumber floating down the Salmon River, at a moderate expense; and whereas it is deemed expedient to incorporate a Company for that purpose;—

1. Be it therefore enacted, that Daniel Briggs, Gideon D. Bailey, George W. Hoben, G. G. King, Samuel Langin, Thomas Lloyd, William Lloyd, James Lloyd, and their associates, successors, and assigns, be and they are hereby declared and to be a body corporate by the name of "The Salmon River Boom Company," and shall have all the general powers made incident to a Corporation by Act of Assembly in this Province, for the purpose of erecting and maintaining a Boom or Booms, and any other works on the shore connected therewith, at or near the said Daniel Briggs' aforesaid, for the more convenient collecting, picking up, securing, and rafting timber, logs, and other lumber floating down the said Salmon River, and for carrying on and managing the same.

2. The capital stock of the said Corporation shall be current money of New Brunswick, and shall be divided into thirty shares of forty dollars each.

3. The first meeting of the Corporation shall be called by, or in case of his death or refusal to act, by any two of the said Corporation, after ten days public notice given in the Royal Gazette for the purpose of organizing the said Corporation, which meeting shall be held at the time and place mentioned in such notice.

4. The subscribers for stock in said Corporation shall, previous to the first meeting of said Corporation, pay into the hands of such person or persons as the persons incorporated by the first Section of this Act, or the major part of them, or in case of the death of any one of them, the major part of the survivors, shall appoint, such a deposit or instalment on the capital stock of the said Corporation they subscribe for, as the said persons incorporated, or the major part of them as aforesaid may appoint and determine, due notice being given at the time of the notice calling the first meeting of the members and stockholders of the Corporation, of the time or several periods of time when, and of the place and places where, and person and persons to whom the said instalments or deposits shall be paid; and the said instalment or deposit shall be taken and allowed to every subscriber who shall pay it as part of the capital stock required to be paid in under and by virtue of this Act; and every subscriber who shall neglect or refuse to pay in the said deposit or instalment, shall be deemed a defaulter, and no subscriber shall, upon any pretence whatsoever, vote at the first meeting for the choice of Directors upon any share or shares, unless he has paid the said deposit or instalment.

5. The Boom shall be so constructed as to admit the passage of any joints or rafts not exceeding forty feet in width, and boats, and to preserve the navigation of the said River.

6. The said Corporation shall, and they are hereby required to keep the said Boom open and in order to receive timber, logs, and other lumber floating down the Salmon River, from the opening of the Spring and after the River is clear of ice, until the first day of November in each and every year, during the continuation of this Act.

7. The said Corporation shall be entitled to receive a sum not exceeding twenty cents per ton for each ton of square timber, and the sum not exceeding fifty cents for each and every thousand superficial feet of logs and other lumber, which they shall secure and raft in a substantial manner with three good and sufficient boom poles to each joint, and put in good and sufficient joints, such as are usually made preparatory to there being put in large rafts for transportation to Saint John.

8. The said Corporation shall be entitled to receive a sum not exceeding fifty cents per thousand for each and every thousand superficial feet of logs and other lumber, which they shall secure and raft in a substantial manner for delivering at the Saw Mills on said Salmon River, in all cases spruce and pine to be rafted separate if required by the owners, such payment being in full for rafting and securing the said timber as aforesaid, and also for collecting and keeping up and floating down the said timber, logs, and other lumber so rafted in the said Boom or Booms, from the Barney Campbell's Island, so called, down to the said Boom or Booms, and also for all scattered timber, logs, and other lumber which by the force of the current or water may be drawn into the said Boom or Booms, and secured thereby and so rafted in joints.

9. All timber, logs, and other lumber to be measured by a sworn Surveyor legally appointed, and the expense to be borne by the Corporation.

10. The said Corporation shall have a lien on all timber, logs, and other lumber which may be rafted in said Boom in the manner prescribed by the seventh Section of this Act, or which shall be carried into the said Boom by force of the current, and the said Corporation or agent or agents may retain the said timber, logs, or other lumber, or sufficient part of them, to pay the boomage, until such boomage is paid or secured.

11. For any floating joints or rafts of timber, logs, or other lumber without men, or which may run into the said Boom or Booms by force of current or accident, or be caught therein, the

said Corporation shall protect such joints or rafts, and be enabled to receive therefor at and after the rate of four cents for each and every ton of such timber, and ten cents per thousand superficial feet for every thousand superficial feet of logs or other lumber.

12. If the owner or owners of any timber, logs, or other lumber, shall not within three days after the same has been rafted and surveyed, either by himself or his agent, pay the boomage thereon to the said Corporation, their agent or agents, and take possession and charge thereof; the said Company shall be entitled to receive a reasonable compensation for keeping of the said timber, logs, or other lumber, which shall be deemed to be at the risk of the owner or owners thereof, or they are hereby authorized, if they see fit, after ten days personal notice or thirty days notice in the Royal Gazette, to sell so much thereof as shall be sufficient to pay the boomage, together with the usual expense of keeping, expense of the sale, and all other incidental expense, rendering the overplus, if any, to the owner, and the remaining part of such timber, logs, or other lumber shall be kept until required by the owner at his risk and expense.

13. All questions of difference or disputes of any kind relating to the quantity of timber, logs, or other lumber, or to the mode of rafting the same, shall be submitted to the award or arbitrament and determination of three persons indifferently chosen between the parties, the award and determination of them, or any two of them, shall be final and conclusive between the parties, which referees, or any two of them, shall also determine and award by whom and how the expense of such reference shall be paid.

14. If any person or persons shall wilfully injure or destroy the said Boom, or any pier thereof, such person or persons so offending shall, in addition to any liability to the said Company for any special damage sustained thereby, upon conviction thereof before any two of Her Majesty's Justices of the Peace for the County of Queen's, forfeit and pay a sum not exceeding forty dollars with costs of prosecution, to be levied by warrant of distress and sale of the offender's goods and chattels, rendering the overplus, if any, to the offender or offenders, and for want of sufficient goods and chattels wheron to levy, it shall and may be lawful for said Justices to issue their Warrant to commit such offender or offenders to the common Jail of the County, there to remain without Bail or mainprize for such period as may be specified in such Warrant, not exceeding one day for every two shillings of such penalty.

15. The said Corporation shall have the power to levy and collect assessments upon the shares from time to time, of such sums of money as may be deemed necessary for carrying on the business of the said Corporation, and whenever any such assessment shall be made by the stockholders of the Corporation, it shall be the duty of the Treasurer to give notice thereof in the Royal Gazette, requiring payment of the same within ten days, and if any stockholder shall neglect or refuse to pay to the Treasurer the amount of such assessment upon his share or shares at the time prescribed, it shall be the duty of the Treasurer to advertise all such delinquent shares for sale at Public Auction, giving at least fifteen days notice of the time and place of such sale; and all shares upon which the assessment is not then paid, with interest from the time such assessment became due, shall be sold to the highest bidder, and after retaining the amount of assessment and interest due on each share, and the expense of advertising and selling, the residue, if any, shall be paid over to the former owner, and a new certificate or certificates of the shares so sold shall be made out and delivered to the purchaser; provided always, that no assessment shall be made except by a vote of stockholders, and a majority of all the shares.

16. The Members and stockholders of the said Corporation shall be chargeable in their private and individual capacity, and shall be holden for the payment of all debts at any time due from the said Corporation, or damages sustained by the default or neglect of the said Corporation, or their agents or servants, in proportion to the stock they respectively hold; provided however, that in no case shall any stockholder be liable to pay a sum exceeding the amount of stock actually then held by such member or stockholder, in addition to the stock then held by such stockholder; provided nevertheless, that nothing herein contained shall be construed to exempt the joint stock of the said Corporation from being liable for and chargeable with the debts and engagements of the same.

17. Unless a good and sufficient Boom for the purpose contemplated by this Act, shall be erected within twelve months after the passing of this Act, and a certificate thereof under the hand of the agent, or the principal officer of the said Corporation, attested to by such agent, or other principal officer of the said Corporation, before one of Her Majesty's Justices of the Peace, and which oath such Justice is hereby authorized to administer, shall be filed in the Office of the Secretary of the Province, then the corporate powers hereby granted shall be deemed null and void.

18. Nothing in this Act contained shall extend or be construed to authorize and empower the said Corporation, or any of their agents or servants, to enter in and upon any lands or tenements of any person whomsoever, unless the consent of the owner or owners, lessee or lessees thereof, be first had and obtained in writing; and further provided, that the said Corporation in the course of prosecuting the business and object of the said Corporation, unless such consent as aforesaid has been previously had and obtained.

19. This Act shall continue and be in force for ten years and no longer.