

CAP. XC VIII.

An Act to authorize George Benson Hall to make Improvements in River Chaudière, and exact Tolls for the use thereof.

[Assented to 23rd February, 1875.]

Preamble.

WHEREAS it is of importance for the advantages of lumbering on the River Chaudière and its tributaries, that a dam and piers, and safe and secure booms should be erected on the said river at and above the tidal and navigable waters of the river St. Lawrence at a point to be determined by the commissioner of public works, and whereas George Benson Hall, of the City of Quebec, merchant, has, by petition, prayed for a privilege to that effect; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Right to erect a dam, piers, &c.

1. It shall be lawful for George Benson Hall, of Quebec, his heirs or assigns, to erect within a period of three years a dam across the said river Chaudière as aforesaid, and place piers, stationary booms and other fastenings, in the said river, of a sufficient number and strength to secure all logs and other lumber that may be made and floated down the said river, and the said works shall so be erected and placed to the satisfaction and with the approval of the commissioner of public works, and being so made, erected and placed with the approval of the commissioner of public works, he, the said George Benson Hall, his heirs or assigns, shall not be liable towards any party whomsoever for loss of logs that may accrue by reason of the breaking of the said booms being caused by adventitious and unforeseen occurrence beyond the control of him, the said George Benson Hall, his heirs or assigns.

Approval of commissioner of public works required.

Rates to be levied.

2. It shall be lawful for the said George Benson Hall, his heirs or assigns, as an indemnity for the cost of erecting and maintaining the said dam, piers, booms and other works, to exact and receive, during the period of thirty years from the passing of this act, the following tariff of charges from all, each and every party or parties, who may make use of the said works, to wit:

For every pine log of 12 to 16 feet...	\$0.03	cents per log.
“ “ spruce log of 12 to 16 feet	0.03	“ “ “
“ “ hemlock log of 12 to 16 feet	0.03	“ “ “
“ “ stick of tamarac of 30 feet.	0.03	“ “ stick.
“ “ 100 cedar rails.....	0.50	“ “ 100 rails.
“ “ cord of firewood.....	0.20	“ “ cord.
“ “ round log of tamarac for firewood of sixteen feet.....	0.02	“ “ log.

3. And each and every person lumbering upon the said river, and floating lumber of any sort or description whatever into the said dam, pond and booms, shall, with due diligence from the arrival thereof at the said boom, remove the same therefrom, and in default of so doing, the said George Benson Hall, his heirs or assigns, shall provide for the safe keeping of the said logs or lumber or place it in safety at the cost and expense of the proprietor or proprietors thereof. Should the said George Benson Hall, his heirs or assigns, erect a slide to convey his logs or the logs of others to the beach of the river St. Lawrence, all persons who may have lumber to convey to the river St. Lawrence shall have the privilege of using the said slide on payment of two cents per each piece or log, but it shall be optional to the said George Benson Hall, his heirs or assigns, to build the said slide; provided that if the said George Benson Hall or his successors should build a mill for the cutting of timber at the said dam, and that the erection of a slide should be proved indispensable for the passing of logs from the said dam, then the said George Benson Hall, his heirs or assigns, shall build a sufficient slide to convey the said logs down beyond the rapids of the said river Chaudière to a boom to be there placed by the interested parties, and the said George Benson Hall, his heirs or assigns, shall have the right to charge for the use of the said slide, a sum of two cents per log or piece; but the said George Benson Hall, his heirs or assigns, shall build the said slide only in the event of the erection of a mill at the said dam.

Duty of persons using said booms, &c.

Privileges.

Obligation to construct a slide in case of a mill.

4. It shall be lawful for the said George Benson Hall, his heirs or assigns, to recover, if necessary, by action at law, in any court of justice in this province, having jurisdiction for the same, any amount that may become due to him from or by any party or parties who may have made use of the said dam, pond, booms and fastenings, for the preservation of his or their lumber, at the rate fixed in the foregoing tariff, and the additional sum of money that may become due to him for the cost and expense of removing the lumber of those persons, proprietors thereof, who may have made default to remove the same from the said dam, pond and booms as hereinbefore required of them; and it shall be lawful for the said George Benson Hall, his heirs or assigns, to detain the said lumber, or such part thereof as he may consider sufficient, as a security for the due payment of such sum of money as may be due to him.

Right to prosecute for amount due for use of booms, &c.

5. Any person or persons, wilfully or maliciously, cutting, breaking, injuring or destroying any part or parts of the said dam, piers, booms, or fastenings erected, made and placed in the said river Chaudière by virtue of the rights

Persons injuring said improvements, &c.

Penalty.

and privileges herein and hereby granted, shall be liable to be prosecuted for damages done to, or which may arise from the injury or breaking of the said booms or fastenings, in consequence of the said wilful or malicious cutting or breaking of the said dam, piers, booms or fastenings, or any of them, or shall contravene in any way to this act, shall be liable to a penalty not exceeding forty dollars, recoverable before any justice of the peace, and in default of payment of such penalty to an imprisonment not exceeding two months.

C A P . X C I X .

An Act to change the name of John Brown, of the City of Montreal, Commercial Traveller, to that of John Stevenson Brown.

[Assented to 23rd February, 1875.]

Preamble;

WHEREAS, John Brown, of the city of Montreal, commercial traveller, hath, by his petition, set forth that he is desirous of having his name changed to John Stevenson Brown, so as to obviate the great inconvenience arising from there being so many known by his present name, and hath prayed for an act for that purpose, and it is expedient to grant the said prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Change of name.

Its effect.

1. The said John Brown shall hereafter be called and known by the name of John Stevenson Brown, and by the latter name shall hereafter claim, exercise and enjoy all advantages, benefit, right and title, which, without such change of name he would have been entitled to; and all contracts, covenants and agreements made and entered into by him, by and under the name of John Brown, shall avail to him and be deemed entered into by and under the name of John Stevenson Brown; and all legacies or bequests contained in any will, and made in his favor by the name of John Brown, shall avail to him as if the name of John Stevenson Brown had been mentioned therein; and also, by the latter name, shall recover, have, hold and possess, and be capable of inheriting all real or personal property and rights of any nature or kind whatsoever, which he may at present have hold or possess, or which hereafter he might be capable of inheriting, recovering, holding or possessing, as fully and to the same extent as if the change of name had not hereby been made.