

**12.** The said Jacques Fournier or his assigns, shall, within two years from the service of the said order, repair or re-build the said bridge, and before permitting access there-to to the public, or receiving any tolls, he shall obtain and publish the certificate mentioned and described in the sixth section of this act; and in default, the said Jacques Fournier or his assigns, of re-building or repairing the said bridge within the delay aforesaid, then, and in that case the said bridge, or such part thereof as shall be remaining, shall be and be taken and considered to be the property of Her Majesty, or her successors, with all the rights and privileges of the said Jacques Fournier.

Forfeiture of bridge, &c., for non-fulfilment of order to repair.

**13.** The penalty imposed by the eleventh section of this act, shall upon proof of the offence before any justice of the peace for the district of St. Hyacinthe, or before the district magistrate either by the confession of the offender, or on oath of one or more credible witness or witnesses, be levied by distress and sale of the goods and chattels of such offender, and the one-half of such penalties when paid, levied, shall belong to Her Majesty, and the other half to the person suing for the same.

Recovery and application of penalties.

**14.** The said bridge shall be open for public use, within one year from the passing of this act.

Bridge to be open within one year.

## C A P . L X X X I .

An Act to authorize Antoine Mayrand, Charles McCaffray and Francis McCaffray, of Nicolet, to erect Piers and Booms in the River Nicolet.

[Assented to 24th December, 1872.]

**W**HEREAS, it is of importance for the advantages of lumbering on the river Nicolet and its tributaries, that safe and secure booms should be erected on the river Nicolet, from the forks of said river, or north end of *Ile à la Fourche*, as far down the said river, as to the southern line of the property of the Honorable J. B. G. Proulx, a distance of about two and a-half miles; and whereas Antoine Mayrand, Charles McCaffray and Francis McCaffray of Nicolet, have, 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:

Preamble.

Certain persons empowered to make piers, &c.

1. It shall be lawful for Antoine Mayrand, Charles McCaffrey and Francis McCaffrey of Nicolet, to erect piers, stationary booms and other fastenings, of a sufficient number and strength, to safely secure all logs and other lumber, which may be made and brought down the said river Nicolet; provided always, that the said piers and booms shall be so constructed and placed, as in no way to interfere or obstruct the crossings, or free intercourse and navigation of said river, or it shall be lawful for the said Antoine Mayrand, Charles McCaffrey, and Francis McCaffrey, to place posts or other means of fastening on the lands of riparian parties for the security of said booms, by the said Antoine Mayrand, Charles McCaffrey and Francis McCaffrey, previously paying to the said proprietors thereof all damages which they may suffer therefrom.

Power to make fast, booms, &c., on payment of damages.

2. The said Antoine Mayrand, Charles McCaffrey and Francis McCaffrey shall have the privilege to make fast and secure all rafts, booms and rafting materials on both sides, or on either side of the said river Nicolet, from the fork or *Isle à la Fourche* to the outlet of the said river, they previously paying all damage or damages caused to the proprietors or party or parties entitled thereto.

Power to exact charges for boomage.

3. It shall be lawful for the said Antoine Mayrand, as an indemnity for the cost of erecting and maintaining the said booms, to exact and receive, during the period of twenty-one years from the passing of this act, the following tariff of charges from all party or parties who make use of, or who may desire to use the said booms, to wit :

For every pine log of 12 to 16 feet...	2 cents per log.
“ “ spruce log of 12 to 16 feet..	2 “ “ “
“ “ hemlock log of 12 to 16 feet 2	“ “ “
“ “ stick of tamarac.....	2 “ “ stick.
“ “ 100 cedar rails.....	1 “ “ 100 rails.
“ “ cedar log.....	1 “ “ log.
“ “ cord of fire-wood.....	3 “ “ cord.
“ “ round log of tamarac for fire-wood.....	0½ “ “ log.

Free passage not to be impeded.

4. The said Antoine Mayrand, Charles McCaffrey and Francis McCaffrey shall, at all times, during the season of navigation or during such time as the said booms are extended and in use on the said river, be bound and obliged to give or keep a free and sufficient passage for the proprietors of land along the river or side and for all party or parties who may be lumbering or have lumber or other effects coming down or going up the said river, so that the said party or parties shall and may not

meet with any unreasonable detention of passage in his or their intercourse or passage on said river.

5. It shall be lawful for the said Antoine Mayrand, Charles McCaffrey and Francis McCaffrey to recover, <sup>Power to sue for boomage, &c.</sup> if necessary, by action at law, in any court of justice, in this province, having jurisdiction for the same, any amount which may become due to the said Antoine Mayrand, Charles McCaffrey and Francis McCaffrey from any party or parties, who may have voluntarily used or claimed the use of the said booms, for the preservation of his or their lumber or effects, the amounts fixed and stipulated in the foregoing tariff.

6. Any person or persons wilfully or maliciously cutting, breaking, injuring, or destroying any part or parts of the said piers, booms or fastenings, shall be liable to be prosecuted for all damages done to, or which may arise from the injury or breaking of the said booms, in consequence of the said wilful or malicious cutting or breaking of the the said booms, piers, or fastenings, and on conviction thereof, shall be liable, for all costs and damages occurring therefrom, and in default of payment or giving sufficient security therefor, shall also be liable to imprisonment, according to the decision of the court or courts before which the said suit or suits shall have been brought. <sup>Penalty for injuring any booms.</sup>

## C A P. L X X X I I .

An Act to authorize the Bar of the Province of Quebec to admit Alfred Duclos DeCelles as one of its members.

[Assented to 24th December, 1872.]

**W**HEREAS Alfred Duclos DeCelles, of the city of <sup>Preamble.</sup> Montreal, has studied law from the month of October, eighteen hundred and sixty-seven, to the month of July, eighteen hundred and seventy-two, under Napoléon Legendre, esquire, advocate, and under François Lange-lier, esquire, advocate, both of the city of Quebec; whereas the said Alfred Duclos DeCelles has passed an examination before the bar of Quebec, and whereas the said bar was prevented from conferring upon him a diploma of advocate and attorney on account of an error arising from the fact of his indenture of clerkship having been passed for three years only; and whereas he has studied over four years as appears by the certificates of the advocates aforesaid; Therefore, Her Majesty, by and with the advice