

An Act to authorize Theophilus Cushing to construct a Boom or Booms on the River St. Lawrence.

- W**HEREAS Theophilus Cushing, of the Parish of Repentigny, in the County of L'Assomption, Lower Canada, Lumberman, has represented by his Petition to the Legislature, that he is about to erect a steam saw mill at a cost of about twenty thousand dollars, on the bank of the St. Lawrence, nearly opposite to the Church in the said Parish of Repentigny; and whereas he has prayed by his said Petition to be authorized, he, his heirs and successors, to place a Boom or Booms across the passage from the main land to the Island opposite belonging to the Curé of Repentigny, and called in the said Petition "Labelle Island," and to erect and maintain the necessary Piers to support the same, for the purpose of securing and retaining mill logs; And whereas the said Theophilus Cushing has moreover shown that the construction of such works will in no degree impede the navigation of the St. Lawrence: Therefore Her Majesty, &c., enacts as follows:
- 15 I. The said Theophilus Cushing, his heirs and assigns, is and are hereby permitted and authorized to place a Boom or Booms across the passage aforesaid from the main land to the said Island opposite belonging to the Curé of Repentigny, called "Labelle Island," and to erect and maintain the necessary Piers to support the same, for the purpose of securing and retaining mill logs; Provided that this Act shall not give to the said Theophilus Cushing, his heirs or assigns, any right to overflow by means of the said booms the lands of any other person, or in any way injure the same without the consent in writing of the proprietors or occupiers thereof, and shall not in any way affect or prejudice the rights of such proprietors or of any other party for damage occasioned by such booms.
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- II. This Act shall not affect the rights of other parties acquired by Notarial deeds or otherwise.
- III. The said Theophilus Cushing, his heirs and assigns may, under this Act, maintain an action against any party who shall break, destroy or injure the said Booms, or who shall in any wise prevent the use or enjoyment thereof by the owner or owners thereof.
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- IV. This Act shall be deemed a public Act.

Preamble.

Cushing may make his booms at Labelle Island.

Proviso: he shall be responsible for all damages done by them.

Act not to affect other parties.

Cushing may sue those who injure his booms.

Public Act.