

a river; *Shepherd v. Municipality No. Three*, 6 R. 349. See also *De Ben v. Gerard* 4 A. 30; *Carrollton R. Co. v. Winthrop* 5 A. 36.

The lumber merchants have pleaded that they have no other place where they can moor their rafts. I do not know that such is the case; in fact it has been proved that they could be moored at *Grande Anse* or *Ile Perrot*, without any inconvenience to the public; but it is alleged that these places are out of the way. Whatever this may be, the plea of the defendants cannot be a good answer to the complaints made. The law is precise and must be respected. Lumbermen, like other boatmen, should buy or lease the necessary ground to receive their goods. If the Government does not give them public booms, they ought to construct private ones, as is done near Quebec, and ask permission from the proper authorities to keep their rafts in moorage along their own banks. No more than ordinary importers, have they a right to trespass on the property of their neighbours or of the public, and expect that others should provide them with the proper storage. If the bay at Upper Lachine is the only safe place where rafts can be moored, they ought to buy the property adjoining. No one has the right to forcibly take the land of his neighbour and carry on his trade there, because it is the most suitable. What would one of the honorable commissioners do if one morning he was finding a herd of cattle fastened on to his trees along the land public highway? I do not suppose that he would wait for a judgment of the court to remove the nuisance. No one would be surprised to hear that even the honorable Chairman of this Commission had cut the rope or ropes and let the whole herd wander at large. It is hard to see any difference between this case and that of a nuisance committed on a water public highway. A recent telegram received from Ottawa informed the horrified public that cattle is far less dangerous than certain raftsmen. At all events, if no one can abate a nuisance on a public highway without the intervention of courts of justice, that intervention ought to be readily granted in favour of citizens who merely demand justice, the peaceable and full enjoyment of their property and rights and the enforcement of the laws of the country.

Mr. Carter, in reply, argued that the raft having arrived at its destination, there was no longer any necessity for any light being shown or the name of the owner being affixed to the cabin.