

CHAPTER 314.

AN ACT to authorise John Oliphant and others whom he may associate with him, to erect and maintain a Boom across the north branch of the Potomac river.

Passed Mar. 10, 1854.

WHEREAS, John Oliphant of the Town of Cumberland, Allegany county, is represented to this General Assembly, as the owner of a large tract of land on the Maryland Bank of the Potomac river, about two miles above the town of Cumberland, containing large quantities of iron ore and timber, and is desirous of erecting and maintaining a boom across the north branch of the Potomac river, for the purpose of securing his timber as he floats it down said river; Therefore,

Preamble.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the said John Oliphant be authorised and empowered to float logs, lumber and wood, and wooden materials down the north branch of the Potomac river above the lands owned by him, and to erect and maintain a boom across said river opposite his property, with such piers and other fixtures as may be necessary for the purposes of stopping and securing all logs, lumber and wood, and wooden materials floated down the said river; *Provided,* said boom be so constructed as not to obstruct or impede the navigation of the said river, nor interfere with the chartered rights of any company heretofore chartered by the State.

Privileges granted.

Proviso.

SEC. 2. *And be it enacted,* That if any person or persons shall wilfully or maliciously injure or destroy any part of said boom, piers, or other fixtures, he or they shall pay double the amount of the damages to the said John Oliphant or his assigns, to be recovered by action of trespass and be also liable to indictment and prosecution for a misdemeaner before the circuit court for Allegany county.

Damages for injury.

SEC. 3. *And be it enacted,* That the said John Oliphant and others in his employ, for the purpose of accomplishing the object of this act, be, and he or they are hereby empowered to pass and repass up and down the bed of said river, to release, push off, or float down said river, any such logs, lumber, wood or wooden materials as may have been stopped or obstructed before reaching said boom:

Object.