

## An Act for the protection of Bridges over the River Welland.

**W**HEREAS the River Welland forms the boundary line between a Preamble.  
 portion of the County of Lincoln and a portion of the County of  
 Welland, and also forms the boundary line between certain Townships  
 in the said County of Welland; And whereas the Municipal Council of  
 5 the County of Welland have recently erected several substantial bridges  
 over the said river, within the limits of the said County, and have taken  
 the charge and care of other bridges previously erected over that stream  
 also within the said limits, and are about to erect, jointly with the Muni-  
 10 cipality of the County of Lincoln, other bridges over the said river, all of  
 which are and will be a great convenience to the inhabitants generally  
 in the vicinity thereof; And whereas doubts have arisen whether that  
 part of the said river above the Welland Canal Aqueduct at Merrittsville  
 is a "navigable stream," within the proper and legal meaning of the  
 expression "navigable stream," and whether penalties can be lawfully  
 15 enforced against persons damaging or removing such bridges; And  
 whereas the Municipal Council of the County of Welland aforesaid have  
 by their petition prayed that the said doubts may be removed, and it is  
 expedient to grant their prayer; Therefore Her Majesty, &c., enacts as  
 follows:

20 I. All bridges now erected or hereafter to be erected over that part of  
 the River Welland extending above the Welland Canal Aqueduct at  
 Merrittsville, in the said County of Welland, which shall by a Bylaw or  
 By-laws of the Municipal Council of the County of Welland, or of the  
 Municipal Council of the County of Lincoln, be declared to be public  
 25 bridges, and to be under the charge and care of either of the said Muni-  
 cipal Councils, or under the charge and care of the said Municipal Coun-  
 cils conjointly, (which By-law and By-laws the said Municipal Councils  
 and their successors are hereby severally authorized from time to time  
 to pass, as occasion shall require, and again at their pleasure to repeal,  
 30 shall be deemed and taken to have been and to be lawfully erected  
 bridges, and such of them, with the approaches thereto, as are or shall  
 be situate wholly within the limits of either of the said Counties shall be  
 the property of the County within the limits of which it or they may be  
 so situate, and such as are or shall be over that part of said stream form-  
 35 ing the boundary line between the said Counties shall be the joint  
 property of the Counties of Lincoln and Welland: Provided always, that  
 every bridge hereafter to be erected over the said river, between the said  
 aqueduct and the bridge called "Tisdale's Bridge" upon the Town-Line  
 dividing the Townships of Caistor and Gainsborough, shall have an open-  
 40 ing between the bents in the channel of the stream of not less than  
 twenty-five feet, in the clear, to admit of the passage of vessels, boats,

Certain  
Bridges de-  
clared to be  
public Bridges  
and the pro-  
perty of the  
Counties of  
Lincoln and  
Welland res-  
pectively or  
jointly.

Proviso: as to  
certain of the  
said Bridges.