

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

WHEREAS the River Welland forms the boundary line between a 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 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 Municipality 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 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 By-law 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 bridges and to be under the charge and care of either of the said Municipal Councils, or under the charge and care of the said Municipal Councils 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,) 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 forming 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 opening between the bents in the channel of the stream of not less than feet, in the clear, to admit of the passage of

Preamble.

Certain Bridges declared to be Public Bridges and the property of the Counties of Lincoln and Welland respectively or jointly.

Proviso: as to certain of the said Bridges.