

EXHIBIT "A"

CHAP. 106.—60 VICT.

An Act to enable Edward Spencer Jenison to develop and improve a Water Privilege on the Kaministiquia River.

Assented to 13th April, 1897.

Whereas Edward Spencer Jenison is the owner of a water privilege on the Kaministiquia River, in the District of Thunder Bay, situate between the southwest part of the Township of Oliver and part of the Township of Papoonge on the east and southeast part of the Township of Comtee and part of the said Township of Papoonge on the west, and for the purpose of developing and improving the said water privilege desires to divert a portion of the water of the said river from its natural channel, and to convey the same by means of a canal or trench across the chain reserve adjoining the said channel and through certain lands of which the said Edward Spencer Jenison is owner, and also through or across certain other lands, being mining location or lot No. 10 X in the said Township of Oliver, and from a point near the southerly side of the said mining location or lot No. 10 X by means of pipes or conduits to a part of lot No. 20 in concession D of the said Township of Papoonge of which the said Edward Spencer Jenison is the owner; and whereas the said Edward Spencer Jenison has by contract or agreement obtained the right to flood and use for the purposes of his proposed undertaking the portion of lot A in the first concession of the said Township of Comtee which will be affected by the works he proposes to construct, and has caused surveys and levels to be taken and made of the lands sought to be taken, acquired, held, used or otherwise affected by the construction or for the purpose of the said undertaking, together with a map or plan thereof, and has caused the same to be filed in the office of the Clerk of the District Court of the District of Thunder Bay; and whereas the said Edward Spencer Jenison has by his petition prayed that an Act may be passed to enable him to develop and improve his said water privilege, and it will conduce to the public good, and is proper and just under all the circumstances of the case, to grant the prayer of the said petition;

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. It shall be lawful for the said Edward Spencer Jenison, and he is hereby authorized and empowered, to erect and build a dam or weir in the Kaministiquia River opposite the westerly twelve and a half acres of lot No. 19 in the second concession of the Township of Oliver in the District of Thunder Bay at the head of the falls or rapids in the said river known as Ecarte Falls or Portage Tearte, to such height as may be necessary in order to raise the level of the water in the said river to the height of eight feet above its low water mark or level.

Authority to
erect a dam.

2. It shall be lawful for the said Edward Spencer Jenison, and he is hereby authorized and empowered, at a point opposite the said westerly twelve and a half acres of lot No. 19 in the second concession of the Township of Oliver aforesaid and above the dam or weir to be built as provided in the first section of this Act, to divert from the channel of the Kaministiquia River such part of the waters thereof as may from time to time exceed four thousand cubic feet passing the said point per minute.

Authority to
divert waters.

3. It shall be lawful for the said Edward Spencer Jenison, and he is hereby authorized and empowered, to enter upon, take possession of, acquire, hold and use such portion of mining location or lot No. 10 X in the said Township of Oliver as the arbitrator may under the provisions of this Act award that he is entitled to expropriate, subject to the next section.

Authority to
expropriate
certain lands.