

DRAFT

Of a Bill Reported by the Select Committee to which was referred the Petition of the President and Directors of the Welland Canal Company.

An Act relative to the Welland Canal Company and for granting such further aid as they may require for completing the said canal and the purposes thereof.

Whereas some doubts have arisen relative to the powers of the said company in adopting the measures requisite for the construction of their canal and the occupation of the ground necessary therefor, both at the Grand and Welland Rivers, and it is proper such doubts should be removed by express enactment, the object of this improvement in the internal navigation, requiring that the powers of occupation and jurisdiction, should for this purpose be more certainly defined, as vested in said company.

Be it, &c. That the President and Directors of the Welland Canal Company shall be permitted to occupy such portion of the Grand River or River Ouse and the land adjoining the same from the upper part of the dam erected by the said Company across the same and thence to the mouth of the said River, as may be necessary for a towing path ware houses and other buildings or erections and to improve the navigation thereof by the use of dredging machines and otherwise, and that the said Company shall have the privilege to extend their canal for ship navigation to the said Grand River and to any other Bay or Harbor on Lake Erie, to the Eastward from the mouth of the said River and occupy the same as aforesaid, as they may think the public convenience and the interest of the said Company may require; and the said Company are also hereby authorised in order to render the new channel made by them across a point of land, between the Niagara and Welland Rivers more easily navigable, to throw a dam across the natural channel of the Welland River, and that their jurisdiction under the limitations of their charter shall be extended over all such works and improvements, as they are or shall be authorized to make, provided however that in checking the current by throwing a dam across the Welland River, every facility in their power shall be given to pass rafts of timber or lumber

of every description, and no charge of toll made therefor, or for boats not constructed for or used in lake navigation, which may enter and use the Welland River only, through said cut.

And be it, &c. That the second and eleventh clauses of the Act to grant a further loan to the Welland Canal Company and to regulate their further operations, passed 6th March, 1830, by which the said company are restricted from extending said canal to Lake Erie without further Legislative provision for that purpose, and the 15th and 16th clauses of the Act passed April 13th, 1825, entitled "An Act to repeal part of and extend the provisions of an act passed in the fourth year of his present Majesty's reign, entitled 'An Act to incorporate certain persons therein named under the style and title of the Welland Canal Company,' be, and the same are hereby repealed."

And be it &c. That _____ shall be Arbitrators to settle and award the damages sustained by individuals, whose property has been injured by the operations of the Company, and with whom the Company have not agreed or cannot agree, and whose claims have not been adjusted under former laws, whose decision shall be final between the parties, and the said Arbitrators shall be allowed for every day of their attendance to the duties of such arbitration, the sum of _____

And Whereas the Welland Canal Company are indebted to the Provincial Government of Upper Canada in a large sum of money and are also indebted to His Majesty's Government in the sum of £50,000 sterling, and further aid is still required to complete the said Canal in the way that will be most beneficial as a public work: And whereas the lien held by His Majesty's Home Government for the £50,000 sterling has a preference to the claim of the Province: In order therefore to render the security of the Province more perfect and to enable the Welland Canal Company to accomplish the object of their Incorporation, and also to pay the