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Legis Council

BILL.

An Act for the protection of Mill-owners in Upper Canada.

**W**HEREAS it often happens that persons Preamble.  
purchase Crown Lands and Clergy Reserves in Upper Canada, from the Crown, which, at the time of the purchase, and of the  
5 issuing of the patent therefor, were in the whole or in part overflowed by the waters of some mill stream, in consequence of the erection and continuation of Mill Dams thereon.  
And whereas it often happens that such per-  
10 sons, at the time they purchase such Lands, are well aware of their being so overflowed, and have in consequence thereof obtained a reduction or allowance in the price paid for the same, but nevertheless obtain Patents for  
15 the whole of such Lots, and afterwards bring actions against the proprietors or occupiers of the Mills for the use of which such Dams have been erected: For remedy whereof,  
Be it enacted, &c.

20 That when in any action hereafter to be brought against the proprietor or occupier of any Mill, for the overflowing of or injury to any Land, caused by the erection or continuation of any Dam for the purposes of such  
25 Mill, it shall appear that such overflowing or other injury was caused by the erection or continuation of a Dam which was built before the purchase by and conveyance to the grantee of the Crown of such Land, and that such  
30 purchaser obtained a reduction in the price of such Land, or was otherwise indemnified in consequence of their being so overflowed

Grantee of the Crown not to recover damages against Mill-owner for injury caused to lands by dam erected before Patent issued, in certain cases.