

and the owners of certain mill sites, mills and lands situated on rivers and streams running out of the said Canal, have and are likely hereafter to sustain damage by means thereof; And whereas the above recited statute was intended to cover all such damages although by a strict construction they may not come within the letter thereof: Be it therefore enacted, &c.,

Compensation to be made for damages sustained or to be sustained from certain operations.

That if the owner or owners of any lands, mill sites, mills, machinery, or other works driven by water shall have sustained or shall hereafter sustain any injury or damage by reason of the letting off through any of the dams, sluice-gates, or waste weirs on the said Canal, the waters penned or held back for the proper navigation thereof, then recompense shall be made to the owner or owners of such lands, mill sites, mills, machinery, or other works, for all damages sustained or to be sustained by him, her, or them, by the means aforesaid, the same as in respect to any other damage done by the making, completing or repairing of the said navigation; and all such damage and the satisfaction and recompense in respect thereof, shall be settled, adjusted, ascertained and determined by the same ways and means and in the same manner as are described, required, and provided for by the said Act passed in the eighth year of the Reign of His said Majesty King George the Fourth.

Certain parties not debarred from obtaining compensation under the said Act.

II. And be it further enacted, That persons who have already claimed or who may after the passing of this Act claim compensation for damages done to their lands on the Rideau Canal, shall not be debarred from receiving such compensation by reason of their having acquired the title after the commencement of the said works under a purchase made before such commencement: Provided, that the persons so claiming compensation are the real owners of the property damaged, and have not acquired the same for the purpose of preferring such claim: And provided also, that when the former owner shall have either compromised or waived his claim, or have been satisfied therefor, the assignee shall not be entitled to compensation under this Act; and that in all cases of a sale of property made after the commencement of the works, the compensation shall be made either to the former owner or to the assignee, as it may appear just to the arbitrators, under the facts proved to them.

Proviso.

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