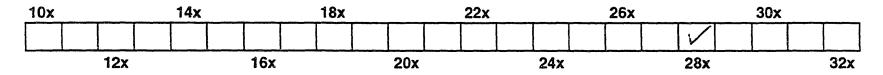
Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below. L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

\square	Coloured covers /		Coloured pages / Pages de couleur
LJ	Couverture de couleur		
	Covers damaged /		Pages damaged / Pages endommagées
	Couverture endommagée		Pages restored and/or laminated /
·	Covers restand and/an laminated /		Pages restaurées et/ou pelliculées
	Covers restored and/or laminated /		
LJ	Couverture restaurée et/ou pelliculée	\checkmark	Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
	Cover title missing / Le titre de couverture manque	L	r ages decolorees, lachelees of piquees
	cover alle micenty, se alle de obavertare manque		Pages detached / Pages détachées
	Coloured maps / Cartes géographiques en couleur		r ages belached / r ages belachees
			Showthrough / Transparence
	Coloured ink (i.e. other than blue or black) /		Chewmough? Hansparence
	Encre de couleur (i.e. autre que bleue ou noire)		Quality of print varies /
		\checkmark	Qualité inégale de l'impression
	Coloured plates and/or illustrations /		
	Planches et/ou illustrations en couleur		Includes supplementary material /
_			Comprend du matériel supplémentaire
\Box	Bound with other material /		
	Relié avec d'autres documents		Pages wholly or partially obscured by errata slips,
			tissues, etc., have been refilmed to ensure the best
	Only edition available /		possible image / Les pages totalement ou
	Seule édition disponible		partiellement obscurcies par un feuillet d'errata, une
	,		pelure, etc., ont été filmées à nouveau de façon à
	Tight binding may-cause shadows or distortion along		obtenir la meilleure image possible.
	interior margin / La reliure serrée peut causer de		
	l'ombre ou de la distorsion le long de la marge		Opposing pages with varying colouration or
	intérieure.	L	discolourations are filmed twice to ensure the best
	Plank leaves added during restarations may appear		possible image / Les pages s'opposant ayant des
	Blank leaves added during restorations may appear within the text. Whenever possible, these have been		colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image
	omitted from filming / Il se peut que certaines pages		possible.
	blanches ajoutées lors d'une restauration		
	apparaissent dans le texte, mais, lorsque cela était		
	possible, ces pages n'ont pas été filmées.		

Additional comments / Commentaires supplémentaires:

This item is filmed at the reduction ratio checked below / Ce document est filmé au taux de réduction indiqué ci-dessous.



1st Session, 6th Parliament, 21 Victoria, 1858.

BILL.

An Act to authorise the improvement of Water-courses in Upper Canada.

Received and read first time, Tuesday, 16th March, 1858.

Second reading, Tuesday, 23rd March, 1858.

MR. BENJAMIN.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

9

No. 10.]

An Act to authorise the improvement of Water-courses in Upper Canada.

BILL.

W HEREAS the improvement of Water-courses in Upper Canada Preamble. would be a source of great prosperity to the country, and a law having been passed by the Provincial Parliament for such purpose, confined in its operation to Lower Canada; Therefore Her Majesty, 5 &c., enacts as follows :

I. All owners of land are hereby authorised and empowered to The owners of improve any water-course bordering upon and running along or lands may passing through or across their respective properties, and to turn the turn watersame to account for their respective uses and benefit, by the construc-joining them 10 tion of mills, manufactories, works and machinery of any description, to account, and -and for any such purpose to erect and construct in and about such erect dams, &c. water-course or water-courses, all the works necessary for efficient working, such as floodgates, canals, embankments, dams, dykes, and the like.

15 II. The owners or lessees of any such works shall be liable for all Such owners damages resulting therefrom, to any person whose property shall be to be liable for thereby injured, whether such injury shall result from too great an ele-vation of the floodgates, or from any other portion of the works other proerected and constructed as aforesaid.

III. All such damages shall be ascertained by arbitrators to be Such damages 20 appointed by the parties interested, in the usual manner; and in to be estidefault of any one of the said parties to appoint an arbitrator, an arbi-trators in case trator to be selected by the Warden of the County, shall act, - And the of dispute. two arbitrators thus chosen shall appoint a third, and in case of their Appointment

25 disagreeing, then the County Judge shall appoint the third arbitrator: of arbitrators. The arbitrators shall be sworn before a Justice of the Peace, well and truly to perform their duty in such capacity, and shall afterwards have power to swear all witnesses who may be brought before them. assessing the damages and fixing the compensation to be paid, such

30 arbitrators, (if the case shall require it,) may set off, against the whole They may set or any part of such damages, the increased value which the property of increased value against damages. works, mills, manufactories or machinery as aforesaid.

IV. In default of payment of the damages and indemnity so award. Demolition of 35 ed, within six months from the date of the report of the arbitrators, works, if together with legal interest to be computed from the said date, the not paid withparty by or from whom the payment is due, shall be bound to demolish in a certain the works which he shall have erected or constructed as aforesaid, or time.

F1858.

perty.

they shall be so demolished, at his cost and charges, upon judgment to that effect rendered, and this without prejudice to the amount of damages and interest thereon, awarded by the said arbitrators, under any arbitration as aforesaid.

5 V. This Act shall apply to Upper Canada only.

Act limited to Upper Canada