
2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

An Act to Repeal the several Laws now in force in Upper Canada, regulating the Construction of Aprons to Mill Dams, and to make provision for better defining the mode of constructing the same.

Received and Read a first time, Tuesday, 23rd.
January, 1849.

Second Reading, Thursday, 1st February, 1849.

Hon. Mr. BOULTON.

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17.

BILL.

An Act to Repeal the several Laws now in force in Upper Canada, regulating the Construction of Aprons to Mill Dams, and to make provision for better defining the mode of constructing the same.

WHEREAS it is expedient to repeal the Preamble. several Laws now in force in Upper Canada, relating to the construction of Aprons to Mill Dams, and to define more particularly the width, elevation and depth of water passing over the same: Be it therefore enacted, &c.

And it is hereby enacted by the authority of the same, That an Act of the Parliament of the late Province of Upper Canada, passed in the ninth year of Reign of King George the Fourth, intituled, "*An Act to provide for the construction of Aprons to Mill Dams over certain streams in this Province*;"—also, an Act of the Parliament of this Province, passed in the eighth year of Her Majesty's Reign, intituled, "*An Act to provide more effectually for the construction of Aprons to Mill Dams on streams in the District of Huron*;"—and a certain other Act, passed in the eleventh year of Her Majesty's Reign, and intituled, "*An Act to repeal the Act therein mentioned, and to make better provision for the construction of Aprons to Dams upon the River Moira*," and the Act thereby repealed be and the same are hereby repealed.

U. C. 9, Geo. 4, chap. 4.
8 Vict., chap. 66, and
11 Vict., chap. 10.

II. And be it enacted, That from and after the time when this Act shall come into operation, every owner or occupier, or owners or occupiers of any Mill Dam which Owners, &c., of Mill Dams to erect good and sufficient Aprons to their Mill Dams.

is or may be legally erected, or where lumber is usually brought down the stream on which such Mill Dam is erected, or where salmon or pickerel abound therein, in Upper Canada, shall construct and erect, and keep 5 in repair a good and sufficient Apron to his or their Mill Dam, at least thirty-two feet wide, if the Dam be of greater width over the stream, and if not, then of the same width as the Dam over the stream, and at 10 least eight feet in length for every foot rise of such Dam; and every such Dam shall, at the place at which the said Apron shall be so constructed, be at least feet lower than the ordinary water level of the 15 said Dam, and every such Apron shall be built in the main channel of the stream, with the highest part thereof feet below the waterfall descending from the top of the Dam; Provided always, that every such 20 owner or occupier of any such Dam may construct a gate across the top of such Apron, for the purpose of preventing the waste of water from the said Dam, and keep the same closed at all times when no person 25 or persons shall require to pass over any such Apron with lumber, boats, or other craft.

Proviso.

Penalty on owners, &c. of Mill Dams neglecting to construct Aprons.

III. And be it enacted, That every owner or occupier of any such Dam who shall 30 neglect or refuse to make and construct, if not already made and constructed, and keep in repair an Apron of such description as aforesaid, shall pay a penalty of ten shillings per day, after the day when this Act 35 shall come into operation, for every day during which such owner or occupier shall have neglected to comply with the requirements of this Act; and such penalty shall be recoverable before any two Justices of 40 the Peace for the District in which the offence shall have been committed, on the oath of two credible witnesses, and, if not paid, shall be levied by distress and sale of the goods and chattels of the offender, by a 45

warrant under the hand and seal of such Justices or either of them, and shall be paid to the Treasurer of the Municipal Corporation having jurisdiction within the locality where such Dam shall be erected, for the general uses of the Municipality.

IV. And be it enacted, That this Act shall come into operation on the first day of August next. Commencement of this Act.