

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Eighteenth day of November, 1806, and continued by several prorogations to Thursday the Fourteenth day of February, 1811, in the Fifty-first year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the Seventh Session of the Ninth General Assembly, convened in the said Province. From Henry H. Cogswell, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: from the Sixth Session of the Eighth General Assembly, to the Fifty-Sixth year of his Majesty's Reign. John Howe and Son, 1816.

51 George III – Chapter 25

An Act for the encouragement of Inland Navigation.

Whereas, the opening a communication by means of locks, between the head of Cape Forchu Harbour, and Lake George, through the several intervening lakes, would be of great service to the neighbouring settlers, and to this province in general, as well by facilitating the carriage and transportation of wood, lumber, and other heavy articles in boats, and by rafts, from the interior of the country to the place of shipment, as by carrying the produce of the sea coast to the inland settlers; and whereas Anthony Landers, John Killam, junior, Samuel Marshall, Jacob Tedford, John Killam, senior, Richard Patten, Benjamin Pitman, Cyrus Parry, Thomas Byrn, William Saunders, Henry Saunders, Hugh Conn, David Landers, Thorndike Landers, Joshua Crosby, Jonathan Tremain, junior, John Wenman Pyke, Thomas Cuff, Joseph Tooker, James Jenkins, Thomas Parry, Thomas Dane, John Trask, junior, Nehemiah Patch, Johnathan Strickland, Jabez Landers, Lemuel Crosby, John Jenkins, Eliakim Killam, Nathaniel Saunders, William Crichton, Joseph Norman Bond, James Bond, Richard Fletcher, Nathaniel Allen, Nehemiah Porter, senior, Benjamin Scott, Eleazer Butler, Ansel Crosby, Nehemiah Porter, junior, Theophilus Crosby, and David Flynt, residing in the township of Yarmouth, have associated themselves, and subscribed the sum of five hundred pounds, as a capital stock, for the purpose of opening and establishing such communication:

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, that the said Anthony Landers, John Killam, junior, Samuel Marshall, Jacob Tedford, John Killam, senior, Richard Patten, Benjamin Pitman, Cyrus Parry, Thomas Byrn, William Saunders, Henry Saunders, Hugh Conn, David Landers, Thorndike Landers, Joshua Crosby, Jonathan Tremain, junior, John Wenman Pyke, Thomas Cuff, Joseph Tooker, James Jenkins, Thomas Perry, Thomas Dane, John Trask, junior, Nehemiah Patch, Jonathan Strickland, Jabez Landers, Lemuel Crosby, John T. Philips, John Raymond, Thomas Wilson, Miner Huntington, Christopher Strickland, John Patch, John Jenkins, Eliakim Killam, Nathaniel Saunders, William Crichton, Joseph Norman Bond, James Bond, Richard Fletcher, Nathaniel Allen, Nehemiah Porter, senior, Benjamin Scott, Eleazer Butler, Ansel Crosby, Nehemiah Porter, junior, Theophilus Crosby, and David Flynt, and their assigns, are, and shall hereafter be, incorporated for the purpose of carrying the object of their association into effect, and shall have power and authority to divide their said capital stock into one hundred equal shares, and annually from

year to year, by consent of a majority of the proprietors of the said shares, and annually from year to year, by consent of a majority of the proprietors of the said shares, to increase the said capital stock, to any amount not to exceed five thousand pounds, and shall and may, at an annual meeting of said proprietors, by a majority of votes, proceed to choose and appoint five directors, being proprietors, for the government and conduct of their affairs, pursuant to rules and regulations to be made by the major part of said proprietors, at their said annual meeting, which said five directors, or the major part of them, shall have power to appoint one clerk, and one treasurer, for the said proprietors, and shall meet together once in every month for the purpose of examining the books and accounts of said clerk and treasurer, and for the purpose of concerting such measures as shall be deemed expedient relative to the interest of the proprietors; and at the expiration of the year for which the said directors shall be appointed, or within ten days after the expiration of the said year, the said directors shall, by public advertisement, notify the proprietors to attend at some convenient place in Yarmouth, for the purpose of revising the rules and regulations to be adopted for the government and conduct of their said affairs, and for the purpose of electing directors for the ensuing year, at which said meeting the senior directors, late in office, shall preside, and shall cause the account of the said company, fairly stated, and the books and entries of the clerk and treasurer, to be laid before the said proprietors, for their inspection.

II. And be it further enacted, by the authority aforesaid, that the said directors shall and may have power and authority to erect one or more locks, dams, wears and water gates, with the necessary appendages, and to cut canals, or deepen the water at the places of junction of the said lakes, beginning at the falls at the head of Cape Forshu [Forchu] Harbour, and ending at Lake George, and the said locks, dams, wears and water gates, with their appendages, not extending beyond the margin of the solid land at high water mark, as it is now situated, together with the right of way, and a passage over and through the said locks, dams, wears and water gates, shall be the sole and exclusive property of the said Anthony Landers, John Killum, junior, Samuel Marshall, Jacob Tedford, John Killum, senior, Richard Patten, Benjamin Pitman, Cyrus Parry, Thomas Byrn, William Saunders, Henry Saunders, Hugh Conn, David Landers, Thorndike Landers, Joshua Crosby, Jonathan Tremain, junior, John Wenman Pyke, Thomas Cuff, Joseph Tooker, James Jenkins, Thomas Parry, Thomas Dane, John Trask, junior, Nehemiah Patch, Jonathan Strickland, Jabez Landers, Lemuel Crosby, John T. Phillips, John Raymond, Thomas Wilson, Miner Huntington, Christopher Strickland, John Patch, John Jenkins, Eliakim Killum, Nathaniel Saunders, William Crichton, Joseph Norman Bond, James Bond, Richard Fletcher, Nathaniel Allen, Nehemiah Porter, senr. Benjamin Scott, Eleazer Butler, Ansel Crosby, Nehemiah Porter, junior, Theophilus Crosby, and David Flynt, their associates and assigns, free passage for His Majesty's troops, and for all or any of His Majesty's military stores alone excepted. Provided always, that the way and passage over and through the said locks, dams, wears and water gates, at convenient times and seasons, shall not be denied to any other of His Majesty's subjects with their boats, vessels and goods, after payment or tender, of the toll or pass-money, which shall hereafter be annually imposed and established by the said directors, which toll, or pass-money, in case of just complaint shall thereafter, forever, be regulated by the legislature of this province. And provided also, that no damage be done to any particular person in his land or property

without due recompence, to be made by the persons hereby incorporated, and their successors, as they and the parties interested may agree, or as shall be ordered by the justices in general sessions, upon enquiry into the same, by a jury, to be summoned for that purpose.

III. And be it further enacted, by the authority aforesaid, that the said directors, so to be chosen and appointed, shall be, and they are hereby, incorporated, as a body politick, by the name of the directors of the Yarmouth lock and canal proprietors, and as a body corporate to sue, and be sued, in any or either of the courts of law or equity in this province, by the same name, to purchase and hold lands, tenements and hereditaments, appropriate and convenient for the said lock and canal proprietors. Provided, the said lands do not exceed two hundred acres in the whole, nor more than one hundred acres in one place.

IV. And be it further enacted, that at the annual meetings of the said proprietors, hereafter to be held, each person shall be received and entitled to give one vote for each and every share held by such person, and that no person shall be entitled to vote in right of any property which does not amount to one entire original share of the said capital stock; and also, it is hereby provided, that no vote shall be binding on any of the proprietors, unless two thirds of the said proprietors shall be present in person, or by proxy.

V. And, lastly, be it enacted, by the authority aforesaid, that Anthony Landers, Jacob Tedford, William Saunders, John Killum, and Miner Huntington, shall be, and they are hereby, constituted and appointed directors of the Yarmouth Lock and Canal Proprietors, for, and during the present year of our Lord, one thousand eight hundred and eleven; and shall, in convenient time after the publication of this act, call a meeting of the proprietors, and proceed to put this act in operation, according to its true intent and meaning, for the benefit of said proprietors, and for carrying the object of the association into effect.