

counted for to His Majesty through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

Account to be rendered on or before 1st January 1835,

to be laid before Legislature.

IV. *And be it further enacted by the authority aforesaid,* That the Commissioners so appointed for the purposes of this Act shall, on or before the first day of January, one thousand eight hundred and thirty-five, render an account in detail to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, of the monies expended by them under this Act, which account shall be laid before the Legislature at their next Session.

Contracts not to exceed sum granted.

Tenders to be advertised for.

Three per cent allowed to Superintendant on amount expended.

V. *And be it further enacted by the authority aforesaid,* That the said Commissioners shall not in any contract or contracts exceed the sum hereby granted for the construction and completion of the said Piers, and that public notice, by advertisement, shall be given for the tender of contracts, accompanied by two good and sufficient sureties for the due performance of the same; and further, that the said Commissioners shall contract with the person or persons who shall submit the lowest tender or tenders, with such two good and sufficient sureties; and also, that no further sum shall be allowed any Superintendant than three per cent upon the amount expended.

CHAP. XXXVI.

AN ACT to authorise Richard Tunks, to erect a Mill Dam upon the River Thames, in the London District.

[Passed 6th March, 1834.]

Preamble.

WHEREAS it hath been represented by the Petition of sundry persons, inhabiting upon or near the banks of the River Thames, in the Townships of Westminster and London, in the London District, that the erection of Mills upon the said River in front of Broken Lot number thirty-nine, in the Broken Front of the Township of Westminster, would greatly increase the general prosperity and wealth of the surrounding Country, and that the natural fall of the said River at the said place is almost sufficient for the above mentioned purpose, but that to render the water privilege completely efficient at all seasons of the year it will be necessary to erect a Dam across the said River at the above mentioned site, at such height as will not flood or otherwise injure any Lands lying above the

same: *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That it shall and may be lawful for Richard Tunks, having first obtained permission by an instrument under his or their hands and seals from the proprietor or proprietors of the Lands adjoining his, or their heirs and assigns, to erect one Dam upon the above mentioned site, of such height only as will not flood or otherwise injure any Lands lying above the same: *Provided* Richard Tunks empowered, having permission from proprietor of adjoining lands, to erect a Dam, *always*, that such Dam shall be constructed with suitable Locks, to be constructed with suitable Locks, for passage of boats, &c. for the safe and convenient passage of such boats or other craft as are now or may hereafter be in use upon the said River; *And also* inclined planes of Inclined planes for passage of rafts, &c. not less than forty feet in length and thirty feet in width, and good and sufficient Aprons for the safe passage of rafts and the ascent of fish, and to maintain and keep the same in good repair, free from toll or other charge, as long as the said Dam shall exist. to be kept in repair free from toll.

II. *And be it further enacted by the authority aforesaid*, That if the passage aforesaid shall at any time be obstructed for the period of twenty days successively, the grant hereby intended to be made shall be absolutely void. If passage obstructed 20 days successively this grant to be void.

III. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Legislature of this Province, at any time hereafter, when in their opinion the public interest shall require it, either to amend or repeal this Act. Future amendment or repeal of this Act.

CHAP. XXXVII.

AN ACT to provide for the Maintenance and Government of the Provincial Penitentiary, erected near Kingston, in the Midland District.

[Passed 6th March, 1834.]

WHEREAS, if many offenders convicted of crimes were ordered to solitary imprisonment, accompanied by well regulated labor and religious instruction, it might be the means under Providence, not only of deterring Preamble.