

*Laws of Her Majesty's Province of Upper Canada*, passed in the year 1838. York: Robert Stanton, 1838.

1 Victoria – Chapter 28

**An Act to amend the Charter of the Welland Canal Company. Passed 6th March, 1838.**

Whereas by the seventh Clause of an Act passed in the fourth year of George the Fourth, entitled, “An Act to incorporate certain persons therein-mentioned, under the style and title of the Welland Canal Company,” it is provided, that all claims for damages made by individuals for land or materials taken for the purposes of the Welland Canal Company, shall in case of disagreement with the said Company as to the value thereof, be settled and determined by arbitration; And whereas it is found that the said Welland Canal Company is liable to numerous vexatious law suits, for damages alleged to be sustained by individuals, in consequence of the Officers in charge of the Welland Canal finding it necessary for the safety of that work to discharge the waste water in times of freshets, or for the purpose of making repairs absolutely necessary, upon the premises of such individuals: Be it therefore enacted by the Queen’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 from and after the passing of this Act all claims now pending, or which may hereafter be made, for damages caused as aforesaid, or in any other way whatever, in the maintaining and keeping in repair the said Canal, shall be settled and determined by arbitration, in the same manner as is provided by the before recited and subsequent Acts relating to the Welland Canal, as regards other damages.