



ANNO DUODECIMO
VICTORIÆ REGINÆ.

CAP. CXC.

An Act to authorize John Yule the younger, Esquire, and others, to erect a Mill Dam upon the River Richelieu, in the District of Montreal.

[30th May, 1849.]

WHEREAS it hath been represented by the Petition of John Yule the younger, of Chambly, in the District of Montreal, Esquire, Seigneur, Proprietor in possession of the Fief of Beaulac, in the Seigniorie of Chambly East, in the said District of Montreal, and Dame Philo Letitia Ash, of Chambly aforesaid, widow of the late William Yule, deceased, in his lifetime of Chambly aforesaid, Esquire, Richard Brock Hatt, Esquire, and the Reverend Joseph Braithwaite, both of Chambly aforesaid, and the said John Yule the younger, in their capacities of Trustees, Executors, Administrators and Fiduciary Legatees under the last Will and Testament of the said late William Yule, Seigniors, Proprietors in possession of the Southerly half of the Seigniorie of Chambly West, that a certain river called and known as the River Richelieu runs and passes along the front of the said Seigniories of Chambly East and Chambly West, the said Seigniorie of Chambly East being on one side of the said river and the said Seigniorie of Chambly West being on the other side; and that an extensive Water Power which, up to the present time has been made use of by the said John Yule the younger, individually, and the said Dame Philo Letitia Ash, Richard Brock Hatt, the Reverend Joseph Braithwaite and the said John Yule in their aforesaid capacities, to but a small and limited extent, can be obtained and made available by the construction of a Dam across the said river on the rapids of the said River Richelieu at or near a place or spot commonly known as *La Châte à Baré*, situate at a short distance above a certain Bridge at the Village of Chambly commonly known as Yule's Bridge; and that the construction of such Dam, by rendering the said Water Power available to a greater extent than at present, would enable parties to establish Manufactories which would tend and conduce not only to the interest, prosperity and wealth of the immediate neighbourhood and the surrounding country, but would likewise be advantageous to the general interests of the Province at large, inasmuch as there would thereby be afforded an opportunity to carry into operation within the said Province, establishments for the profitable manufacture of many articles which are now imported from the United States of America and other countries, and would be the means of giving and securing employment to numbers of the labouring class whose present means of subsistence are precarious for many months in the year, and thousands of whom experience, and particularly the experience of the last year has shewn, have by reason of the want of employment in this country been compelled to emigrate into foreign countries, there to seek that subsistence which they could not in consequence obtain in this Province;

Preamble.

And

And whereas it has been further represented by the said Petition that the said River Richelieu is not navigable from the Basin of Chambly to the Town of Dorchester commonly called St. Johns, in the said District, and that the said River Richelieu is connected between the said Basin of Chambly and the said Town of Dorchester or St. Johns by means of a certain canal commonly called the Chambly Canal, and that the construction of the said Dam could not and cannot in any way or manner interfere with the navigation of the said River : Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the said John Yule the younger, individually, and the said Dame Philo Letitia Ash, Richard Brock Hatt, the Reverend Joseph Braithwaite, and the said John Yule the younger, in their aforesaid capacities, his or their heirs, assigns or legal representatives, to erect, build and construct, or cause to be erected, built and constructed in the said River Richelieu, upon or near the above mentioned site, to wit, at or near a place commonly called *La Chûte à Baré*, at a short distance above a certain Bridge as aforesaid at the Village of Chambly aforesaid, one Dam to extend across the said River Richelieu from the east to the west bank of the said river, the said Dam to be of the height of six feet ; Provided always, that such Dam shall be constructed with an open space or channel, of at least eighty feet in the most navigable part of the said river or in the deepest part thereof or in the middle thereof.

Certain parties empowered to build a Dam over the River Richelieu.

Proviso.

The said parties may bring certain actions for maintaining their rights as to the said Dam.

II. And be it enacted, That the said John Yule the younger, individually, Dame Philo Letitia Ash, Richard Brock Hatt, the Reverend Joseph Braithwaite and the said John Yule the younger, in their aforesaid capacities, his or their heirs, assigns or legal representatives shall be held to possess and be beneficially interested in the said Dam to be so erected, so that he or they may be enabled to institute and sustain, and it shall be lawful for him or them to institute and sustain any action or actions at Law or in Equity against any person or persons who may break down, destroy or injure in any way or manner the said Dam, or who shall in any wise prevent the use and enjoyment thereof by the said John Yule the younger, individually, Dame Philo Letitia Ash, Richard Brock Hatt, the Reverend Joseph Braithwaite and the said John Yule the younger, in their aforesaid capacities, his or their heirs, assigns or legal representatives.

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