



ANNO TERTIO-DECIMO & QUARTO-DECIMO
V I C T O R I Æ R E G I N Æ .

C A P . X C .

An Act to authorize Aaron Silverthorn and Newman Silverthorn, their heirs or assigns, to erect a Dam across the River Thames.

[10th August, 1850.]

WHEREAS it hath been represented by the Petition of Aaron Silverthorn and Newman Silverthorn, and a number of persons inhabiting the Townships adjacent to the banks of the River Thames, in the Townships of Howard, Camden and Zone, that the erection of Mills upon the said River, in the Township of Howard and Gore of Camden and Zone, at or near the place known as Kerby's Point, on the south part of lot number fourteen, in the Gore of Camden, in the united Counties of Essex and Kent, would tend greatly to increase the general prosperity and wealth of the surrounding country: 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 and 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 Aaron Silverthorn and Newman Silverthorn, their heirs or assigns, to erect a Dam upon the above mentioned site, but of such height only as will not flood or otherwise injure any lands lying above the said Dam belonging to individuals, without the consent of such individuals previously had in writing, and recorded in the Registrar's office for the county in which the proposed Dam will be erected, and which registration the said Registrar is hereby authorized to make: Provided always, that the said Dam shall be constructed with inclined planes of not less than forty feet in length and thirty feet in width, with good and sufficient aprons for the safe passage of rafts and the ascent of fish; to be maintained and kept in good repair by the person in possession of the said water privilege, free from toll or other charge, as long as the said Dam shall exist.

Preamble.

A. and N. Silverthorn may build a dam, subject to certain conditions.

Proviso: further conditions.

II. And be it enacted, 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.

Privilege voided by certain acts.

III. And be it enacted, That the owner or owners of the said Dam, for the time being, shall be held to possess and be beneficially interested in the said Dam so to be erected, so that he or they may be enabled to maintain actions at law or in equity against any person or persons who may break down, destroy or injure the said Dam, or who shall in any wise prevent the use and enjoyment thereof by the owner or owners thereof.

Owner of dam to have certain rights in law and equity.

IV. And be it enacted, That if the Legislature of this Province, at any time hereafter, when, in their opinion, the public interest shall require it, shall either amend or repeal this Act, such repeal or amendment shall not be deemed an infringement of the privileges hereby granted.

Act may be repealed.

V. And be it enacted, That this Act shall be deemed a Public Act.

Public Act.