

The Provincial Statutes of Canada, passed in the year 1841. Kingston: Stewart Derbishire & George Desbarats, 1841.

4 & 5 Victoria – Chapter 81

An Act to empower George Durand, Esquire, to construct a Canal for Mill purposes in the Township of Sarnia. 18th September, 1841.

Whereas Captain Richard E. Vidal, Dugall Ferguson, W. T. Jones, and others, Inhabitants of the Township of Sarnia, in the Western District, have, by their Petition to the Legislature, represented that it is of great importance to all the Northern Townships of the County of Kent, that Mills should be established at the Town of Port Sarnia, and that George Durand, Esquire, of the Town of Port Sarnia, is willing to establish such Mills, provided he can obtain from the Legislature authority to cut a Canal or race-way from the River *Aux Perches* on lot number fifteen in the sixth concession of the said Township of Sarnia, to the waters of the River Saint Clair, and have prayed that such authority be granted to the said George Durand, accordingly: and whereas it is expedient that the prayer of the said Petitioners be granted, and that such authority be given; 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 be lawful for the said George Durand, his heirs, assigns, and legal representatives, to cut and open a Canal or race-way from the River *Aux Perches*, on Lot number fifteen of the sixth concession of the said Township of Sarnia, to the waters of the River Saint Clair, in front of Lot number seventy four in the front concession of the said Township, and to convey by such Canal or race-way, and to use for Mill purposes such portion of the waters of the said River *Aux Perches*, as he or they may require for such purposes; any Law, usage or custom to the contrary notwithstanding.

II. Provided always, and be it enacted, that nothing in this Act, contained shall be construed to authorize the said George Durand, his heirs, assigns, or legal representatives, to enter upon the property of any person or party whomsoever without the permission of such person or party, or to confer any right or privilege on the said George Durand, except that of conveying and using the waters of the said River *Aux Perches*, in the manner and for the purposes aforesaid.

III. And be it enacted, that the said right of conveying and using the waters of the said River, as aforesaid, shall be forfeited by non-user for any continuous period exceeding five years, at what time soever such non-user may occur.