

Laws of His Majesty's Province of Upper Canada, passed in the year 1857. Toronto: Stewart Derbshire & George Desbarats, 1857.

20 Victoria – Chapter 143

An Act to amend the Charter of the Ontario, Simcoe and Huron Railroad Union Company. Assented to 10th June, 1857.

Whereas it is expedient and necessary to alter and amend the Act passed in the twelfth year of Her Majesty's Reign, intituled, *An Act to incorporate the Toronto, Simcoe and Lake Huron Union Railroad Company*, in order to afford a just and proper protection not only to the owners of lands adjoining the line of the Ontario, Simcoe and Huron Railroad Union Company's railway, and works connected therewith, but to all persons whatever from damage to their horses, cattle or other animals by the trains or engines on the said railway; And whereas the eighteenth section of the said Act does not sufficiently provide therefor, it is desirable and necessary to provide for the fencing and separation of the whole line of such railway from the neighboring lands: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

- I. From and after the time when this Act shall come into force, the said eighteenth section of the said Act shall be repealed.

- II. From and after the time when this Act shall come into force, the clauses of the "Railway Clauses Consolidation Act" with respect to and entitled "Fences" shall be incorporated with the Acts incorporating the said Company; Provided always, that in every case in which the owner of any lands or other person or persons by the said Act authorized and capacitated to convey shall, in their arrangements with the said Company, have received or agreed to receive compensation for gates, stiles, bridges, arches or culverts instead of the same being erected or found by the said company, for the purpose of facilitating the passage to or from either side of the land severed or divided by the said railway, it shall not be lawful for any such owner or those claiming under him to pass, and they shall ever be prevented from passing or crossing the said railway from one part to the other part of their lands so severed and divided, otherwise than by a gate, stile, bridge, arch or culvert to be erected and maintained at the charge of such owners, under the inspection and direction of and according to plans and specifications to be furnished and approved by the Engineer of the said Company.

- III. And whereas it is expedient to set at rest all doubts as to the right of the City of Toronto and the County of Simcoe each to nominate a Director in the said Company; Be it enacted, that so long as the City of Toronto shall hold stock to the amount of twenty-five thousand pounds, and upwards, the said City may annually on or before the day of the annual meeting of the Shareholders of the said Company for the election of Directors, nominate one of the Aldermen of the said City to be a Director of the said Company, in addition to the number of Directors authorized by the Acts incorporating the said Company, who shall have the same rights, powers and duties as any of the Directors of the Company, and so long as the County of Simcoe shall hold stock to the amount of twenty-five thousand pounds and upwards the said County of Simcoe may also annually on or before the day of the annual meeting of the Shareholders of the said Company for the election of Directors nominate one of the Councillors

or such other person as they may see fit to be a Director of the said Company in addition to the number of Directors authorized by the Acts incorporating the said Company, who shall have the same rights, powers and duties as any of the Directors of the Company; Provided always that the said City shall not nor shall the said County be entitled in right of such stock to vote at any meeting of the said Company called for the election of Directors.

IV. This Act shall be deemed a Public Act.