

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

20 Victoria – Chapter 146

**An Act to explain an Act, intituled, *An Act to amend the Act incorporating the Hamilton and Toronto Railway Company*. Assented to 10th June, 1857.**

Whereas the wording of the first section of the Act passed in the eighteenth year of Her Majesty's Reign and intituled, *An Act to amend the Act incorporating the Hamilton and Toronto Railway Company*, is such as to have caused doubts to arise as to the meaning of the said Act, and it is expedient to declare and explain the meaning of the same in order to prevent injustice being done to persons intended to be protected by the said Act: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

- I. The words "private rights" in the said first section of the said Act, were intended to include and do include the rights whether possessory or reversionary which parties occupying, leasing or owning lands on the bank or banks of the River Humber, had to use the said River as a highway, or as a means of approach or access to or egress from the property so occupied, leased or owned by such parties, by vessels or otherwise howsoever.
- II. All parties occupying, leasing or owning lands on or near to the bank or banks of the said River Humber, who shall be prevented by the erection of a permanent bridge by the said Company across the said River Humber, from approaching or gaining access to or egress from such lands by vessels or otherwise, or from using the said River as beneficially or amply as they had been entitled or accustomed to use the same before the erection of such bridge, and who shall give notice to the said Company within three months from the passing of this Act, of his, her or their claim or intention to make claim for compensation in consequence of the erection of such Bridge, shall be entitled to compensation from the said Company, and the said Company shall indemnify all such parties so injured or abridged in any way of the rights aforesaid, or hindered or prevented from using the said River in manner aforesaid; and in case of disagreement between such parties and the said Company, as to the amount of such compensation, the same shall be ascertained and decided in the same manner as is provided for in regard to other claims for compensation against the said Company, in and by their Act of incorporation or the Act incorporated therewith.
- III. This Act shall be deemed a Public Act.