

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

20 Victoria – Chapter 75

An Act for the protection of persons owning Lands on the Shore of Lake Ontario in the Counties of York, Peel and Halton. Assented to 27th May, 1857.

Whereas the owners of lands lying on the shore of Lake Ontario, in the Counties of York, Peel and Halton, have by their petitions to Parliament, represented, that their property suffers great injury from parties removing stone from the shore up to the water's edge, by which means the banks are undermined and serious damage done to property thereon; And whereas it is expedient to prevent the abuse so complained of: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. No person shall remove or raise any stone from the bed of Lake Ontario at a less distance than three-rods beyond low water mark, at any place between the western limits of the City of Toronto and Burlington Beach in the County of Halton.

II. Any person removing or raising any stone in contravention of the next preceding section, may be arrested by the owner of any land adjoining Lake Ontario within the limits aforesaid, in front of whose property any stone may be removed, or his servant, or agent, or any person whom he shall call to his assistance, without any warrant other than the authority of this Act, and taken before one of the nearest Justices of the Peace, who, upon the complaint of the person arresting such offender, and upon conviction of the offender by the oath of such person or of any other credible witness, may condemn such offender to pay a fine not exceeding Five Pounds nor less than One Pound, and costs, and in default of immediate payment may commit such offender to the Common Gaol of the County or United Counties for any period not exceeding one month, unless the said fine and costs are sooner paid.

III. If the master or other person in charge of any craft, shall permit his crew or any of them, to remove or raise any stone contrary to the provisions of this Act, or shall allow his crew to depart from the shore after committing any such offence, he shall thereby incur a fine not less than Two Pounds nor exceeding Ten Pounds, to be recovered with costs, before any Justice of the Peace having jurisdiction in any place where such master or person in charge shall be found, upon proof of the offence by the oath of one credible witness, and if the fine and costs are not forthwith paid, the offender may be committed to the Common Gaol of the County or place for a period not exceeding two months, unless the fine be sooner paid.

IV. All fines levied under this Act shall belong to the Municipality of the Township, Town or City in which the conviction shall be had, for the general uses thereof.

V. The prohibition to remove or raise stone shall not apply to the owners of the land in front of which such stone shall lie, to be used for the purpose of constructing walls for the protection thereof.

VI. This Act shall be a Public Act.