

the charge, hypothec and lien in favor of the Crown for claims arising out of the Provincial Guarantee, or advances in place of the Provincial Guarantee under any former Act or Acts authorizing such Guarantee or advance;

4. And it shall be lawful for the Governor in Council to direct the Board of Works and such skilled Engineers as the Governor may appoint from time to time, to examine and report upon the works in progress, and to estimate from time to time the work still remaining unfinished upon the several Sections of the said Railway; And it shall be lawful for the Governor in Council to withhold the whole or any portion of such additional aid upon any section or sections of the said Grand Trunk Line if the said Report should not be satisfactory to him.

Governor may cause work to be inspected;

And withhold aid if report be not satisfactory.

II. All moneys received from the said Company for the Crown, in payment of principal or interest of any claim of the Crown on behalf of this Province arising out of the said Provincial guarantee, or any advance made to the said Company in place thereof under the Acts in that behalf, shall form part of the Consolidated Revenue Fund of this Province, and shall be accounted for accordingly to Her Majesty, Her Heirs and Successors, and to the Provincial Parliament.

How moneys repaid by the Company shall be applied and accounted for.

III. This Act shall be a Public Act.

Public Act.

## C A P . C L X X V .

An Act to authorize the Grand Trunk Railway Company of Canada, to change the location of their line in and near the City of Toronto.

[Assented to 19th May, 1855.]

**W**HEREAS the Mayor, Aldermen and Commonalty of the City of Toronto, did, by their agreement, made and entered into on the fourth day of January, one thousand eight hundred and fifty-four, covenant and agree to give and provide for the use of the Grand Trunk Railway Company of Canada, over, upon, across and along the Esplanade, to be constructed by the said City along the front thereof, three railway tracks occupying a space of forty feet in width of the said Esplanade, at and for the price or sum of Ten Thousand Pounds, of lawful money of this Province; And whereas the said Company, after and in pursuance of the said agreement, did thereupon locate their line according to law, in such mode and direction as to enable them to make the connection between the eastern section of their Railway lying to the east of the said City, and the western section thereof lying to the west of the said City, over, upon, across and along the said Esplanade; And whereas the said Company, in consequence of the said covenant so made and entered into on the part of the said City, have proceeded with the

Preamble.

Agreement of the Company and the Corporation of Toronto recited.

the

the execution of their works both east and west of the said Esplanade, and have nearly completed the same, at a very large outlay; And whereas the works of the said Railway between Stratford and Toronto, are in such an advanced state towards completion as to admit of their being opened for traffic during the ensuing autumn, and also for a distance extending from the said City eastward, nearly forty miles, it has become necessary to complete forthwith the connection between the said sections and to erect the necessary Station Buildings and sidings for the proper working of the said Railway; And whereas the Mayor, Aldermen and Commonalty of the said City of Toronto, did on the sixteenth day of April one thousand eight hundred and fifty-five, by a formal vote of their Council, resolve to annul the said contract, and to break their said covenant, to the great damage, loss, and inconvenience of the said Company, whereby the said Company are likely to be deprived of the advantages of their connection along the said Esplanade; And whereas it has in consequence become necessary to afford relief to the said Grand Trunk Railway Company of Canada, and to give it the necessary powers to alter the location of their line in and near the said City of Toronto, in order to connect their said sections to the east and west of the said City: 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 intitled, *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, as follows:

Breach by the said Corporation.

Company empowered to alter the location of their line and acquire the necessary property, &c.

I. That it shall and may be lawful for the said Grand Trunk Railway Company of Canada to alter the location of their said line in such manner as may be found necessary to enable them to make and complete the connection between that portion of their line east of the said City of Toronto, and that portion west of the said City, by such route as may be found most convenient and advantageous; And for this purpose it shall and may be lawful for the said Grand Trunk Railway Company of Canada to acquire, purchase, and hold in the manner prescribed by law all necessary land required in and near the said City of Toronto; And also to pass through, across, over, upon and along such street or streets of the said City of Toronto, or parts thereof, and lay down the necessary tracks and sidings within the limits of the said City and its liberties as may be necessary for the purposes aforesaid: Provided nevertheless, that if the said City of Toronto shall, within two years, proceed with and complete the said Esplanade in such manner as to afford the said Grand Trunk Railway Company of Canada the right of way over, upon, across and along the same, the said Railway Company shall be bound and obliged to carry and

Proviso: if the Corporation complete the Esplanade and allow the Company the right of way.

construct

construct their said Railway over, upon, across and along the said Esplanade when so completed, on being required so to do by the said City of Toronto, and on payment by the said City of all expenditure and damages incurred by the said Railway Company, in the construction of the necessary works to complete the connection of their said sections of their Railway east and west of the said City by such routes as the said Grand Trunk Railway Company of Canada may select under the authority of this Act; And provided also, that if the Corporation of the said City and the Grand Trunk Railway Company of Canada cannot agree upon the location of the said line of Railway as authorized by this Act through any street or streets of the said City or the compensation therefor, if any, then the Board of Railway Commissioners shall, upon receipt of written notice thereof from either the said Company or the said City, have full power and authority to decide upon the said location, and to determine the amount of remuneration, if any, to be paid to the said Corporation by the said Company, and such decision shall be final and binding upon both parties.

*Proviso:*  
Board of Railway Commissioners to decide certain matters if the Company and the Corporation disagree.

II. And be it enacted, that it shall and may be lawful for the said Company to make any contract or contracts with the said City of Toronto for the construction of the said Esplanade according to such plan and upon such terms as may be agreed upon between them, any thing in any former statute to the contrary notwithstanding; and the said City shall have full power and authority on such contracts being made, to pass any By-law or By-laws for raising any money or issuing any Debentures that may be necessary for the construction of the said Esplanade under any such contract, and for the payment of any moneys for any arrangement or arbitration with any water lot owner or lessee, and the said Company shall also have power and authority to make such arrangement or proceed to such arbitration, if they shall deem it advisable to do so, and any such arbitration as herein mentioned shall be in accordance with the provisions made for arbitrations, under the provisions of the Acts relating to the said Company.

*Company may contract to make the said Esplanade.*

*Corporation empowered to raise the sums required for purposes connected with the Esplanade.*

*Company, as contractors, may go to arbitration with owners of water lots.*

III. This Act shall be a Public Act.

*Public Act.*

C A P . C L X X V I .

An Act to enable the Great Western Railway Company to construct a Branch Railway to the Town of Brantford, and for other purposes therein mentioned.

[Assented to 19th May, 1855.]

**W**HEREAS the Great Western Railway Company have petitioned the Legislature for authority to construct a Branch Railway from their main line to the Town of Brantford, and also to increase their capital stock, and to have certain

*Preamble.*