

## A G R E E M E N T .

### THE TORONTO STREET RAILWAY COMPANY AND THE TORONTO ROADS COMPANY.

**T**HIS AGREEMENT, made the Eighth day of November, in the year of our Lord one thousand eight hundred and sixty-one, between THE TORONTO STREET RAILWAY COMPANY, party hereto of the First Part, and THE TORONTO ROADS COMPANY, party hereto of the Second Part,

WITNESSETH : WHEREAS the party of the first part, under and by virtue of their Act of Incorporation, are about to construct a portion of their Street Railway within the Municipality of Yorkville ; AND WHEREAS the party of the second part have a Toll Gate within the said Municipality, on Yonge-street, the road over which the said Street Railway is intended to pass ; AND WHEREAS the party of the second part, in consideration of the party of the first part maintaining and keeping in good and proper repair, to the satisfaction of the Superintendent of the party of the second part, so much of the Macadamized Road on Yonge-street as lies between the said Toll Gate and the Northern boundary of Yorkville, have agreed not to exact any tolls from the party of the first part on account of their Cars and Horses and other animals drawing or propelling the same passing through and over the same :

NOW THESE PRESENTS WITNESS, that the party of the first part, in consideration of the party of the second part, their successors and assigns, permitting and allowing the Cars and Horses, and other animals drawing and propelling the same, of the party of the first part, their successors and assigns, to pass toll-free through the said Toll Gate of the said party of the second part, and over and along so much of Yonge street as lies within the boundaries of the Village of Yorkville, the party of the first part, for themselves, their successors and assigns, hereby covenant, promise and agree, to and with the said party of the second part, their successors and assigns, to maintain and keep in good and sufficient order and repair and macadamize all that macadamized portion of Yonge-street situate between the Toll Gate aforesaid and the Northern boundary of Yorkville, and upon which the party of the first part intend to construct their Street Railway ; such maintenance, macadamizing and keeping in repair to extend to and to be of the width macadamized of the said road at the present time, and the whole length of the said road used by the said party of the first part for their said Railway ; such repair and maintenance to be done to the satisfaction of the Superintendent of the said road, appointed by the party of the second part.

AND the party of the second part, in consideration of the party of the first part maintaining and keeping in good and sufficient repair and macadamizing so much of