

Railway, and to construct, erect and keep in repair any bridges, arches and other works upon and across any rivers or brooks, or Railways or Canals, for the making, using, maintaining and repairing the said intended Railway; and to turn any such brook, river or water-course, and to change its course; and to construct, erect, make and do all other matters and things which they shall think convenient and necessary for the making, effecting, extending, preserving, improving, completing, and easy using of the said intended Railway and other works, in pursuance of and according to the true intent and meaning of this Act; they the said Company, doing as little damage as may be in the execution of the several powers to them hereby granted, and making satisfaction in manner hereinafter mentioned to the owners or proprietors of, or the persons interested in the lands, tenements or hereditaments water-courses, brooks or rivers respectively, which shall be taken, used, removed, prejudiced, or of which the course shall be altered, or for all damages to be by them sustained in or by the execution of all or any of the power given by this Act; and this Act shall be sufficient to indemnify the said Company and their servants, agents or workmen, and all other persons whatsoever for what they or any of them shall do by virtue of the powers hereby granted, subject nevertheless to such provisions and restrictions as are hereinafter mentioned.

Bridges and other works for passing streams, &c.

Other works necessary for the Railway.

As little damage as possible to be done and compensation to be made.

III. Provided always, and be it enacted, That the said Company shall not carry the said Railway along any street or existing highway, but merely cross the same in the line of the said Railway; except upon leave obtained from the proper Municipal authority of some County or Town, and before they shall in any way obstruct such street or highway with their works, they shall turn the said highway or street at their own charges so as to leave an open and good passage for carriages free from obstructions, and when their works are completed, they shall replace the said highway or street, under a penalty of £5. for any contravention; but in either case the rail itself, provided it does not rise above or sink below the surface of the road more than one inch, shall not be deemed an obstruction.

How the Railway shall be carried across roads.

Rail itself not to be deemed an obstruction.

IV. And be it enacted, That for the purposes of this Act, the said Company shall and may by some sworn Land Surveyor for Upper Canada, and by an Engineer or Engineers by them to be appointed, cause to be taken and made, surveys and levels of the lands through which the said intended Railway is to be carried, together with a map or plan of such Railway, and of the course and direction thereof, and of the said lands through which the same is to pass, and the lands intended to be taken for the several purposes authorized by this Act, so far as then ascertained, and also a book of reference for the said Railway, in which shall be set forth a general description of the said several lands, and the names of the owners, occupiers, and proprietors thereof, so far as they can be ascertained by the said Company, and in which shall be contained every thing necessary for the right understanding of such map or plan, one copy whereof shall be deposited in the office of the Clerk of the Municipal Council for each of the Counties through which the said Railway is intended to be carried, and another in the office of the said Company; and all

Company by a sworn Surveyor and Engineer shall take surveys and levels of the lands through which the Railroad is to be carried, and make a map or plan. Plan and book of reference to be made and deposited.