

An Act to amend the Acts relating to the Hamilton and Port
Dover Railway Company.

WHEREAS the Hamilton and Port Dover Railway Company have petitioned the Legislature for certain amendments in their Act of Incorporation, and the Act amending the same, and to allow the said Company to grant a Lease of their Railway to the Buffalo and Lake Huron Railway Company, or any other Company willing to lease the same, or to amalgamate with the said Buffalo and Lake Huron Railway Company, or any other Company, and it is expedient to grant their prayer. Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. It shall be lawful for the Hamilton and Port Dover Railway Company, in pursuance of any Resolution to that effect adopted at any Special General Meeting of Shareholders duly convened, with notice of the intended object, to grant, and for the Buffalo and Lake Huron Railway Company, or any other Railway Company, upon Resolutions to be adopted in like manner to accept, a lease of the Hamilton and Port Dover Railway, for such term, at such rent, and upon such conditions as may be agreed upon,—or in like manner to amalgamate, connect or unite with, or become the purchasers of or jointly interested in the undertakings of the Company, or to aid in completing the construction and working thereof upon such terms and conditions as may be agreed on, and to provide and raise, if necessary, the capital required for such purpose. Company empowered to lease their Railway, &c.

2. And whereas it would greatly conduce to the safety of the public if, under proper restrictions, the said Company in the location of their Line, were authorized in certain cases to divert and permanently change the line of any public road or highway; therefore, it shall be lawful for such Company, with the sanction of the Government Inspector of Railways, and on filing a plan as hereinafter directed, to close any road or highway, and divert and change the line thereof, and in every such case they shall have the powers for acquiring the lands necessary for the location of the new Road or Highway, and for any materials necessary to construct the same which they at present enjoy for acquiring lands and materials for their line of Railway; and the said Company in all such cases shall place the new Road or Highway as near as can be in the same state of usefulness as the original road so diverted at the time of its diversion, and in all such cases, if the Railway Company require it for their Railway purposes, they shall have the right to take possession of and use the original Highway. Company may divert the public highway in certain cases.

40 Provided always, that no such diversion shall be made until a plan of such deviation shall be deposited with the Clerk of the Peace of the Proviso.