

BILL.

No. 68.]

[1863.—2nd Sess.]

An Act to amend the Act 23rd Victoria, Chapter 105, intituled, "An Act relating to the Northern Railway of Canada" so far as relates to the construction of the Branch Line into the Town of Barrie, and other matters therein mentioned.

WHEREAS, the Municipal Corporation of the Town of Barrie, by their Petition to the Legislature have in effect represented, that in the year 1853, the said Corporation entered into an agreement with the Ontario, Simcoe and Lake Huron Railroad Union Company, with respect to the construction of a switch or branch Railway from the main line of Railway of the said Company to the said Town of Barrie, —that the said main line of Railway has since, under the Act of the 22nd year of Her Majesty's reign intituled, "An Act relating to the Northern Railway of Canada," become and now is vested in the Northern Railway Company of Canada,—and disputes have arisen and litigation, in consequence thereof, is now pending as to such agreement, and the non-construction of such switch or branch road, and the liability of the said last mentioned Railway Company, in damages or otherwise, by reason thereof; and whereas the Corporation of the Town of Barrie have prayed for Legislative intervention in the premises: and whereas in view of the consent of the interested parties that such intervention should take place in the manner hereinafter set forth, it is expedient to grant such prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. The Municipal Council of the Town of Barrie by any description of agreement or form of title, whether for the carrying out of their agreements heretofore entered into with the interested parties or otherwise, may acquire from such interested parties either in the name of the Corporation of the said Town for the Northern Railway Company of Canada, or directly in the name of the Northern Railway Company of Canada, all the right of way, easements, and property in the soil whatsoever required for the construction of the said Switch or Branch Railway, from a point at or near the present Barrie Station of the said Company in the Township of Innisfil, to the place known as "McWatts' Wharf" in the Town of Barrie, and for the requisite station ground and buildings at or near the said wharf, together with such borrowing pits as may be requisite to that end, the whole as laid down on a diagram which is filed with the Secretary of the Railway Commissioners at Quebec, marked with the letter A, and signed by Frederick Cumberland and T. D. McConkey, or in substantial conformity with such diagram.

2. For the acquiring of such right of way, easements, and property, or of any part thereof, the said Council is hereby invested with all the powers of a Railway Company under the Railway Act, and all the powers conferred on the Council for that purpose.