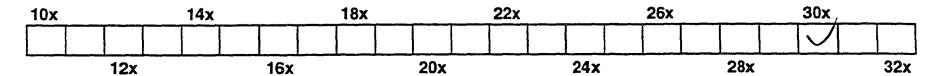
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4th Session, 6th Parliament, 24 Victoria, 1861.

BILL.

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.

(PRIVATE BILL.)

Received and read, first time, Tuesday, 28rd April, 1861.

Secondreading, Wednesday, 24th April, 1861.

Mr. Morrison.

QUEBEC:

PRINTED BY THOMPSON, HUNTER & CO., SIE. URSULE STREET. 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, have by Preamble.

their petition to the Legislature represented, that long before the

their petition to the Legislature represented, that long before the passing of the Act of the twenty-second year of Her Majesty's reign, intituled "An Act relating to the Northern Railway of Canada," to 5 wit, in the year 1853, the said Corporation entered into an agreement with the Railway Company now called the Northern Railway Company of Canada, but then called 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 the Railway of the said Company 10 to the said town of Barrie,—that in pursuance of the said agreement the said Municipal Corporation on the 27th day of May, 1854, passed a By-law for raising the sum of three thousand pounds to purchase the right of way for the said Branch Railway, and procured an agreement to submit to arbitration to be executed by nearly all the owners of the 15 land required for the same;—and that in the year 1855, the Legislature at the instance of the said Municipal Corporation and of the said Railway Company, passed the Act intituled "An Act to remove doubts as to the power of the Ontario, Simcoe and Lake Huron Railroad Union Company to construct a Branch Line into the town of Barrie," with a 20 view to the carrying out of the said agreement;—that in the year 1859, the said Act intituled "An Act relating to the Northern Railway Company of Canada" was passed, vesting the said Northern Railway and its appurtenances in the Crown, but with power to the Governor in Council, on certain conditions, to re-transfer the same to the Company; 25 and that in the year 1860, another Act was passed intituled "An Act relating to the Northern Railway Company of Canada," reciting the Act of 1859, and an order in Council made under it re-vesting the said Railway and its appurtenances in the said Company on certain conditions, and confirming the said Order and declaring the said Railway and its 30 appurtenances re-transferred to and re-invested in the said Company subject to the conditions, clauses and provisions made in and by the said order in Council;—that doubts have arisen whether the effect of the last mentioned Act and of the Order in Council and recited under it, may not be construed as making the said Company a new Com-35 pany, and as preventing or relieving them from being bound by the obligation arising out of the agreement with the Corporation of the Town of Barrie, first above mentioned, which doubts the said Corporation pray may be removed: And whereas, it is expedient to remove the same; Therefore, Her Majesty, &c., enacts as follows:

40 I. It was not the intention of the Legislature, by the Act of 1860, Effect of the last cited, to make the said Northern Railway Company of Canada, a said Acts

declared, as regards the said Branch Railway. new Company, or to prevent or relieve the said Company from being bound by any obligation contracted by the Northern Railway Company of Canada before the passing of the said Act of 1859; and the said Company and the Corporation of the Town of Barrie, are respectively bound by the agreement mentioned in the preamble of this Act, to the same extent and in the same manner and with the same rights respectively, as if the two Acts last cited had not been passed; and the said Act of 1855, authorizing the construction by the said Company of a Branch Line to Barrie, is now in force; and the Board or Share Capital of the said Company and the earnings of the said Railway, may 10 be applied to and with the said Railway, and its appurtenances and appliances, rolling stock and plank, shall be liable for the construction of the said Branch Railway, or any damages which the said Municipal Corporation may recover, or the said Company may be ordered to pay for the non-performance of the said agreement.

II. This Act shall be deemed a Public Act.