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3rd Session, 6th Parliament, 23 Victoria, 1860.

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**BILL.**

An Act to amend the Acts relating to the  
Hamilton and Port Dover Railway Com-  
pany.

[PRIVATE BILL.]

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Received and read, first time, Tuesday, 24th  
April, 1860.

Second reading, Thursday, 26th April, 1860.

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Mr. BUCHANAN.

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QUEBEC :

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

**W**HEREAS 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  
5 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  
10 Legislative Council and Assembly of Canada, enacts as follows:

1. It shall be lawful for the Hamilton and Port Dover Railway Com-  
pany, 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  
15 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 condi-  
tions 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  
20 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 em-  
powered to  
lease their  
Railway, &c.

2. And whereas it would greatly conduce to the safety of the public  
25 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 Rail-  
ways, and on filing a plan as hereinafter directed, to close any road or  
30 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  
35 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 high-  
way in certain  
cases.

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

County in which such diversion is situate, nor until the same shall have been approved of by the said Government Inspector of Railways.

Subscription  
of and Debentures  
of the  
Village of  
Caledonia  
made valid.

**3.** And whereas the Village of Caledonia was authorized under the Acts of the Parliament of this Province relating to Railways, to subscribe and did in fact subscribe the sum of Ten Thousand Pounds towards the construction of the said Railway, for which Debentures have issued and have passed into circulation: And whereas doubts have arisen as to the sufficiency of the By-law authorizing the issuing of such Debentures, and inasmuch as the said Municipality was authorized to subscribe for the said Stock, it is just and expedient that all doubts as to the legality of such Debentures should be removed; therefore, all Bonds or Debentures issued under the authority of the said By-law, by the Village of Caledonia, shall be held to be and are hereby declared to be good and valid in the Law.

Public Act.

**4.** This Act shall be deemed a Public Act.