



**BERMUDA
1954 : 18**

CITY OF HAMILTON (TRANSFER OF LANDS) ACT 1954

ARRANGEMENT OF SECTIONS

- 1 Interpretation
- 2 Title of Crown to railway path
- 3 Exchange of lands
- 4 Vesting of part of railway path in Corporation of Hamilton
- 5 Use of land as roadways

[25 February 1954]

WHEREAS it is expedient to effect the exchange of certain lands, the property of Joseph Samuel Vallis, Sir William James Howard Trott and Henry James Tucker, within the City of Hamilton for certain lands comprising a part of the strip of land, also within the City of Hamilton, on which was placed the permanent way of the Bermuda Railway, and to vest the lands so exchanged, respectively, in the Crown and in the said Joseph Samuel Vallis; to make provision for transferring the lands vested in the Crown as aforesaid, together with a further part of the strip of land within the City of Hamilton on which was placed the permanent way of the Bermuda Railway, to the Corporation of Hamilton, and for vesting the lands so transferred in the said Corporation; for requiring the said Corporation to construct and maintain roadways on such lands, and for matters connected with the purposes aforesaid:

[words of enactment omitted]

Interpretation

- 1 In this Act—

CITY OF HAMILTON (TRANSFER OF LANDS) ACT 1954

"the designated plans" means the plans numbered respectively 1 and 2 which accompanied the Governor's message to the House of Assembly No. 60 of the present Session;

"the railway path" means the land formerly the property of the Bermuda Railway Company Limited and now vested in the Crown in pursuance of section 3 of the Railway Purchase Act 1946;

"the specified part of the railway path" means that part of the railway path which runs between the line marked A-B on Plan 2 of the designated plans and the public road known as Richmond Road.

Title of Crown to railway path

2 It is declared that—

- (a) the land shown in red on Plan 1 of the designated plans was, notwithstanding anything contained in any vesting order made under the Bermuda Railway Company Act 1924, and relating to such land or to any easement or other interest in respect of such land, vested absolutely in Her Majesty, Her heirs and successors in pursuance of section 3 of the Railway Purchase Act 1946, free from all the encumbrances whatsoever; and
- (b) that the land shown in red on the said Plan 1 comprises, for the purposes of this Act, part of the railway path within the meaning of section 1.

Exchange of lands

3 As from 25 February 1954—

- (a) the land shown in blue on Plan 1 of the designated plans (being land within the City of Hamilton the property of Joseph Samuel Vallis, Sir William James Howard Trott and Henry James Tucker) shall be relinquished by the said Joseph Samuel Vallis, Sir William James Howard Trott and Henry James Tucker, and shall vest absolutely in Her Majesty, Her heirs and successors, free from all encumbrances; and
- (b) the land shown in green on the said Plan 1 (being land within the City of Hamilton comprising part of the railway path) shall be relinquished by the Crown and vest absolutely for an estate in fee simple in possession free from all encumbrances in the said Joseph Samuel Vallis his heirs and assigns.

Vesting of part of railway path in Corporation of Hamilton

4 As from 26 February 1954 the specified part of the railway path together with the land shown in red on Plan 2 of the designated plans (being land vested in the Crown as to part by virtue of the operation of section 3 and as to the other part by reason of comprising part of the railway path) shall be relinquished by the Crown and shall, subject to section 5, vest absolutely for an estate in fee simple in possession free from all encumbrances in the Corporation of Hamilton their successors and assigns.

Use of land as roadways

5 (1) Notwithstanding anything in section 4, the Corporation of Hamilton, as soon as may be, shall construct, or complete the construction of, proper roadways on the specified part of the railway path and on the land shown in red on Plan 2 of the designated plans (being land comprising part of the land vested in the Corporation of Hamilton by virtue of the operation of section 4) and maintain and permit the use in perpetuity of such roadways in the same manner as other roads under the control of the Corporation of Hamilton.

(2) The Hamilton Extension Act 1951 [*title 4 item 7*], shall apply and have effect in relation to any roadways mentioned in subsection (1) as it applies in relation to roads included in the extension of the city limits on 16 February 1961.