CHAPTER cc.

An Act to provide for the cancelling of the Bond entered into under the Enniskillen, Bundoran, and Sligo Railway Act, 1862. [22d July 1878.]

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WHEREAS by the Enniskillen and Bundoran Railway Act, 1861, the Enniskillen and Bundoran Railway Company was incorporated, with powers to make and maintain the railway in that Act described, which has long since been completed and opened for traffic: 24 & 25 Vict. c. cxxxviii.

And whereas by the Enniskillen, Bundoran, and Sligo Railway Act, 1862, (herein-after called "the Act of 1862,") the name of the said Company was changed to the Enniskillen, Bundoran, and Sligo Railway Company (herein-after called "the Company"), and the Company were authorised to make and maintain an extension of their railway to Sligo, and to raise further moneys for that purpose; and by that Act it was provided that the railways and works thereby authorised should be completed and opened within five years from the passing thereof: 25 & 26 Vict. c. cxiv.

And whereas, pursuant to the standing orders of both Houses of Parliament and to an Act of the session of the ninth and tenth years of Her present Majesty, chapter twenty, a sum of twelve thousand pounds, being eight pounds per centum on the estimate of the expense of the railways authorised by the Act of 1862, was deposited with the Court of Chancery in Ireland in respect of the application to Parliament for that Act:

And whereas, in pursuance of the twenty-sixth section of the Act of 1862, that sum of twelve thousand pounds was released upon a bond being executed to Her Majesty, her heirs and successors, by the Company and by Henry Mervyn D'Arcy Irvine, of Castle Irvine, in the county of Fermanagh, since deceased, and David McBirney, of Astons Quay, in the city of Dublin, Esquires, and who in this acted as sureties for the Company in the penal sum of twenty-four thousand pounds, conditioned to be void if the railway was opened

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for the conveyance of passengers within the time limited by the Act of 1862, or if it should be proved to the satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company had paid up and expended for the purposes of that Act one half of the amount of the share capital thereby authorised, or if the Company should pay to Her Majesty, her heirs or successors, the full sum of twelve thousand pounds:

And whereas by the Enniskillen, Bundoran, and Sligo Railway Act, 1865, (herein-after called "the Act of 1865,") the period for the completion of the railways and works authorised by the Act of 1862 was extended to three years from the passing of the Act of 1865:

And whereas no steps were taken to construct the railways mentioned in the Act of 1862, and the powers granted by the Act of 1862 as extended by the Act of 1865 expired on the nineteenth day of June one thousand eight hundred and sixty-eight:

And whereas the bond to Her Majesty, her heirs and successors, so executed by the Company and the said Henry Mervyn D'Arcy Irvine and David McBirney is dated the thirty-first day of July one thousand eight hundred and sixty-two, and is now held by the Solicitor of the Lords Commissioners of Her Majesty's Treasury:

And whereas it is expedient that the before-mentioned bond should be cancelled and the said sureties be thereby released from any obligation thereunder:

And whereas this cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Enniskillen, Bundoran, and Sligo Railway Amendment Act, 1878.

Solicitor to Treasury to cancel bond.

2. The Solicitor to the Lords Commissioners of Her Majesty's Treasury shall cancel and deliver up the before-mentioned bond, dated the thirty-first day of July one thousand eight hundred and sixty-two, which has been entered into under the twenty-sixth section of the Act of 1862, and for that purpose the proper officer of the Exchequer Division of Her Majesty's High Court of Justice in Ireland may and shall deliver up the said bond to the said Solicitor and give the necessary certificate of satisfaction in order to vacate the registration of the said bond; and the proper officer of

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the Common Pleas Division of the High Court of Justice (England) may and shall, upon production of the bond so cancelled, enter up satisfaction on the record of the said bond; and thereupon the bond or obligation shall be discharged, and the lands thereby affected shall be by this Act released and exonerated from all claim in respect thereof.

Expenses of Act.

3. All the costs, charges, and expenses of and incident to the preparing, applying for, obtaining, and passing of this Act shall be paid by David McBirney, by whom the Bill for this Act was promoted.

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