ANNO TRICESIMO

VICTORIÆ REGINÆ.

Cap. xcvi.

An Act for extending the Powers of the *Newry and Greenore* Railway Company. [17th *June* 1867.]

WHEREAS by "The *Newry and Greenore* Railway Act, 1863," the *Newry and Greenore* Railway Company (who are in this Act referred to as "the Company") are incorporated for "the Construction of a Railway from *Newry* to "*Carlingford Lough*, and of a Pier and other Works in connexion "therewith:" And whereas the Time granted by the said Act for the compulsory Purchase of Lands expired on the Twenty-eighth Day of *July* One thousand eight hundred and sixty-five, and the Time for the Completion of Works will expire on the Twenty-eighth Day of *July* One thousand eight hundred and sixty-seven: And whereas by "The *Newry and Greenore* Railway (Further Powers) Act, 1865," the Company are authorized "to make certain Deviations in their "authorized Line and to construct certain new Works:" And whereas by the last-named Act the Powers for the compulsory Purchase of Lands and for constructing Works will expire on the Fifth Day of *July* One thousand eight hundred and sixty-eight: And whereas it is expedient that the Periods granted by the said respective Acts for completing Works should be extended: And whereas by the said first-recited Act at all Meetings of the Directors of the Company there must be Five Directors present to constitute a Quorum, and it

26 & 27 Vict. c. ccxxix.

28 & 29 Vict. c. cccvii.

is expedient that this Number should be reduced: And whereas the Purposes aforesaid cannot be accomplished 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 for any Purpose as "The *Newry and Greenore* Railway Acts Amendment Act, 1867."

Extending Time for Completion of Works.

2. The Periods granted by the said Acts for constructing and completing the Works thereby respectively authorized are hereby respectively extended for Three Years from the passing of this Act, and if at the Expiration of that Period the Railways authorized by the said Acts shall not have been completed and opened for public Traffic the Company shall be liable to the Penalties imposed by the firstly-recited Act in the event of the said Railways not being opened, or such Proof not being given as therein mentioned.

Major Hall to be paid for his Land by certain Date.

3. The Company shall, on or before the Fifth Day of *July* One thousand eight hundred and sixty-eight, pay to Major *Madden Hall*, or the Person who may then be the Owner of the Townland of *Comamuckla* in the County of *Louth*, the Sum awarded to him in respect of the Lands to be taken by the Company in the said Townland for the Construction of their Works under the Powers contained in the said recited Acts, and in default of the Company doing so all the Powers herein or in the recited Acts contained with reference to the taking of such Lands or the Construction of the Railway shall cease and determine.

How Matters in difference between Newry Navigation Company and the Company to be determined.

4. In the event of any Difference between the Company and the *Newry* Navigation Company as to any of the Matters which are by the Twenty-seventh Section of "The *Newry and Greenore* Railway Act, 1863," appointed to be referred to Arbitration, such Difference shall be referred to the Determination of *Bernard B. Murray* Civil Engineer, whom failing from any Cause, Two Arbitrators, one to be named by the Company and the other by the *Newry* Navigation Company, or of an Umpire to be named by such Arbitrators in Writing before entering on the Business of the Reference.

Provision for Protection of the Newry Navigation.

5. If at any Time hereafter the *Newry* Navigation Company shall, owing to the Construction of the Railway No. 1. referred to in the firstly-recited Act, be legally compelled to erect a Screen or Fence between their Towing-path and the public Road along the Line

Line of their Navigation from *Newry* to their Sea Lock, or along any Part or Parts thereof, the Company shall forthwith, upon written Notice from the said Navigation Company to that Effect, proceed to erect and shall erect such Screen or Fence at their own Expense, and, failing their so doing within such reasonable Time as shall be prescribed by the said Notice, the *Newry* Navigation Company may themselves erect such Screen or Fence, and the whole Costs, Charges, and Expenses incurred by them in erecting the same, to which they shall have become liable by reason of the Failure to construct the same, shall be borne and defrayed by the Company, and may be recovered by the said Navigation Company from them as liquidated Damages in any Court of competent Jurisdiction.

Centre Line not to be deviated at certain Points.

6. Between the Distances of Three Miles Sixty Chains and Four Miles Twenty-one Chains, and between the Distances of Four Miles Thirty-five Chains and Four Miles Seventy-five Chains, from the Commencement of the said Railway No. 1, the Company shall not deviate towards the River *Newry* from the centre Line of Railway shown upon the deposited Plans of the said Railway, neither shall they take, use, or occupy any Lands for the Purpose of depositing Spoil between the said Distances respectively, now forming Part of the Foreshore of the said River, beyond what may be actually required for the Construction of the Railway as a double Line of Road.

Part II. of 26 & 27 Vict. c. 92. incorporated.

7. Part II. of "The Railways Clauses Act, 1863," is incorporated with this Act.

Alteration of Number and Quorum of Meetings of Directors.

8. Sections Ten and Twelve of the firstly-recited Act are hereby repealed, and the Company may from Time to Time reduce the Number of their Directors, provided that their Number when reduced be not less than Five, and when the Number of Directors does not exceed Six, Three shall be a Quorum of a Meeting of the Directors.

Deposits for future Bills not to be paid out of Company's Capital.

9. The Company shall not, out of any Money which by any Act they are authorized to raise for the Purposes of such Act, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purposes of obtaining an Act authorizing the Company to construct any Railway, or to execute any other Work or Undertaking.

Railways not exempt from Provisions of present and future General Acts.

10. Nothing herein contained shall be deemed or construed to exempt the Railways authorized by the recited Acts or the Company from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies,

Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Rates for small Parcels, authorized to be taken by the Company.

Expenses of Act.

11. All the Costs, Charges, and Expenses of obtaining and passing this Act or incident thereto shall be paid by the Company.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.