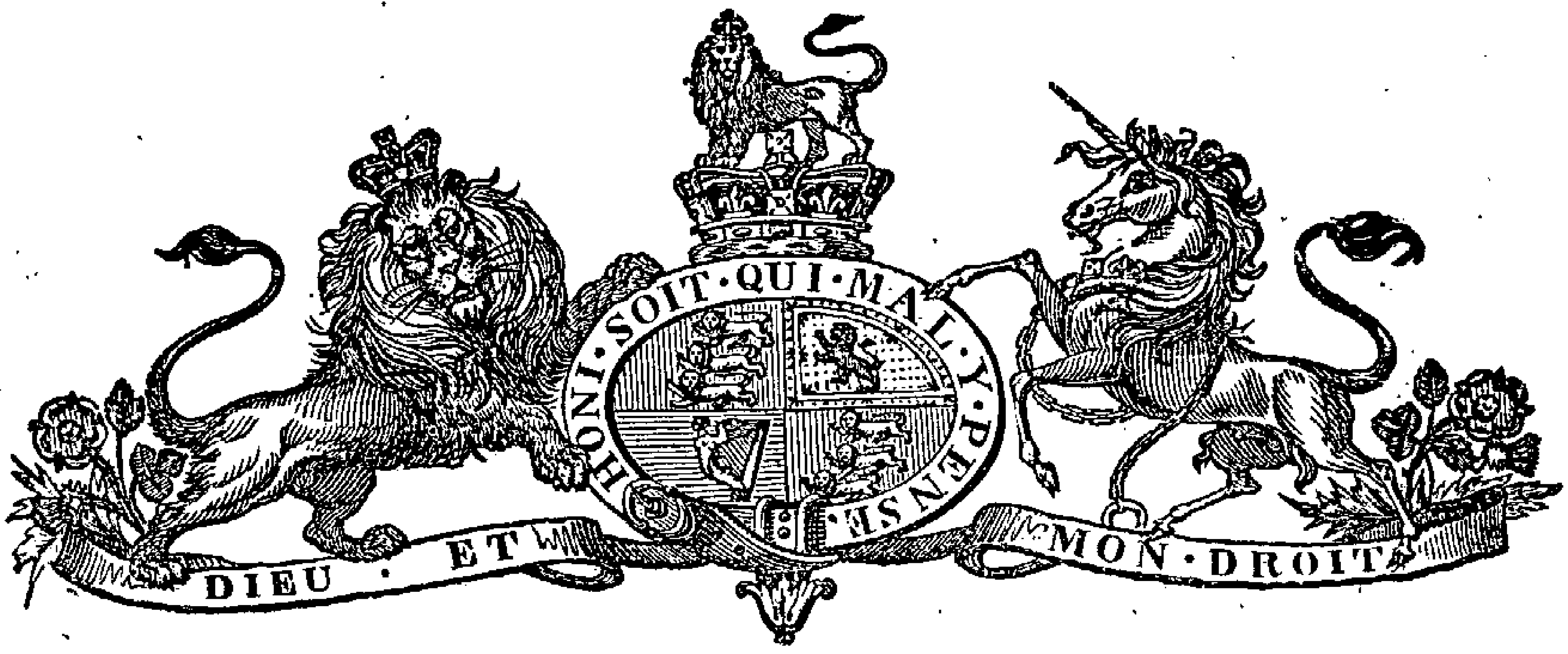


ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Cap. lvii.

An Act to extend and amend the Powers and Provisions of the "*Portadown and Dungannon* Railway Act, 1847." [28th *June* 1853.]

WHEREAS an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled "The *Portadown and Dungannon* Railway Act, 1847:" (10 & 11 Vict. c. cliii.) And whereas the Time granted by such Act for the Completion of the Railway and Works thereby authorized was extended to the Ninth Day of *July* One thousand eight hundred and fifty-six, by a Warrant under the Seal of the Commissioners of Railways bearing Date the Eighth Day of *June* One thousand eight hundred and forty-eight, by virtue of the Act intituled *An Act to give further Time for making certain Railways*, (11 & 12 Vict. c. 3.) and it is expedient that a further Period should be granted for the Completion of such Railway and Works: And whereas the Time limited by the recited Act for the compulsory Purchase of Lands thereby authorized to be taken has expired, and it is expedient that the compulsory Powers of Purchase should be revived, and the Time within which the same may be exercised should be extended: And whereas it is expedient that the said recited Act should be amended; but the several Purposes aforesaid cannot be effected without the Authority of

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; (that is to say,)

Short Title.

I. That in citing this Act for all Purposes it shall be sufficient to use the Expression "The *Portadown and Dungannon* Railway Act, 1853."

Extending Time for Purchase of Lands.

II. That the Powers for the compulsory Purchase or taking of Lands granted by the recited Act for the Purpose of making the Railway and Works by such Act authorized, according to the Plans and Sections of the same, and Books of Reference thereto, deposited with the Clerks of the Peace for the Counties in or through which the same will pass or be situated, shall be revived in respect of the Lands authorized to be taken by such Act for the Purposes of the said Railway and Works, and the Time limited for the compulsory Purchase of such Land shall be extended and enlarged until the Expiration of Two Years from the passing of this Act, and after the Expiration of such Period the Powers by the said recited Act and by this Act granted for the compulsory Purchase of the Land authorized to be taken by such Act for the Construction of the said Railway and Works shall cease to be exercised.

Parties aggrieved by Extension of Time being granted may have Compensation for additional Damage.

III. That the Justices, Arbitrators, Umpires, or Juries respectively, as the Case may be, who, under the Provisions of the said recited Act or this Act, shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Persons interested in any of the Lands in respect of which the Time for the compulsory Powers of Purchase are hereby extended, and which may be taken and used for the Railway and Works or any of them authorized to be made by the recited Act, or which may be injuriously affected by the Construction of such Railway and Works, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage, if any, sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby authorized.

Existing Contracts and Notices to take Lands not to be affected.

IV. That nothing herein contained shall in anywise prejudice or affect any Contracts entered into or Notices given by the said Company before the passing of this Act, for purchasing, taking, or using any Lands authorized to be taken by the recited Act, but every such Contract and Notice respectively shall be construed and shall take Effect, and the same Proceedings shall be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect

respect thereof, both at Law and in Equity, as if this Act had not been passed.

Period for Completion of Works extended.

V. That the Time limited by the recited Act for the Completion of the said Railway and other Works thereby authorized shall be extended for the Space of Four Years from the passing of this Act, and on the Expiration of such extended Period the Powers of the recited Act and this Act granted to the Company for making such Railway shall cease to be exercised, except as to so much of such Railway as shall then be completed.

Recited Act to be construed as if the extended Periods given by this Act had been originally granted.

VI. That, subject to the Provisions of this Act, the Powers of the recited Act for the compulsory Purchase of Lands, and for the making and Completion of Works, which are by the Provisions of this Act extended for a further Period of Time, may be exercised by the Company in the same Manner as if such further Periods respectively had been originally granted in the said recited Act with reference to such compulsory Purchase of Land or Completion of Works, as the Case may be.

14 & 15 Vict. c. 70. incorporated with this Act.

VII. That "The Railways Act (*Ireland*), 1851," shall apply to the Railway and Works by the recited Act and this Act authorized to be made, and shall be incorporated with this Act.

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

VIII. That it shall not be lawful for the Company, out of any Money by any Act relating to the Railway authorized to be raised for the Purposes of such Act or Acts, to 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 Purpose of obtaining an Act authorizing the said Company to construct any other Railway or to execute any other Work or Undertaking.

Railway, &c. to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

IX. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years

Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and an Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the same Reign, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the Company or their Railway from the Provisions of such several Acts respectively, but that such Provisions shall be in force in respect of the said Railway, so far as the same shall be applicable thereto.

Railway, &c. not exempt from Provisions of future General Acts.

X. That nothing herein contained shall be deemed or construed to exempt the said Railway by this or the said recited Act authorized to be made from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway 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 authorized by this Act or by the said recited Acts.

"The Company."

XI. That in this Act, whenever the Words "the Company" are used, the same shall be held to mean the *Portadown and Dungannon* Railway Company.

Expenses of Act.

XII. That all the Costs, Charges, and Expenses of obtaining and passing this Act, or incident thereto, shall be paid by the *Portadown and Dungannon* Railway Company.

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