ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

****

Cap. lxxviii.

An Act to extend for a further Period the Powers of the *Wexford* Harbour Embankment Company for the Completion of their Undertaking; and to amend the Acts relating to the said Company; and for other Purposes. [19th *June* 1865.]

15 & 16 Vict. c. cli. 21 & 22 Vict. c. lxxvii.

WHEREAS the following Acts relating to the *Wexford* Harbour Embankment Company have been passed, namely, "The *Wexford* Harbour Embankment Act, 1852" (in this Act called "the Act of 1852"), and "The *Wexford* Harbour Embankment Act, 1858" (in this Act called "the Act of 1858"): And whereas by the Act of 1858 it was provided that in case the Works by the Act of 1852 authorized to be done should not be completed within Seven Years from the passing of the Act of 1858 the Powers of the Company for making the same should cease: And whereas a Portion of the said Works has not been constructed, and it is expedient to extend for a further Period the Powers of the Company for completing the same: And whereas by the Fifteenth Section of the Act of 1858 the Company are restrained from reissuing Shares surrendered to the Company in Payment or in part Payment for Lands sold by them under the Provisions of the Act of

1852, and it is expedient to repeal that Restriction: And whereas the Object of this Act cannot be obtained 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. In citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "The *Wexford* Harbour Embankment Act, 1865."

Interpretation of Terms.

2. In this Act the following Expressions have respectively the several Meanings hereby assigned to them; (that is to say,)

The Expression "the Company" means the *Wexford* Harbour Embankment Company:

The Expression "the Act of 1858" means "The *Wexford* Harbour Embankment Act, 1858."

Part I. of 26 & 27 Vict. c. 118. incorporated.

3. Part I. of "The Companies Clauses Act, 1863," is incorporated with and forms Part of this Act.

Extension of Period limited by 21 & 22 Vict. c. lxxvii. for Completion of Undertaking.

4. The Period by the Act of 1858 limited for the Completion of the Works authorized to be constructed by the Act of 1852 is hereby extended, and it shall be lawful for the Company during a Period of Five Years next after the passing of this Act to exercise their Powers under the Acts of 1852 and 1858, for the Construction of or in anywise relating to the Works authorized to be made by the Act of 1852: Provided always, that nothing in this Act contained shall authorize the Company to purchase any Lands by Compulsion.

Extension of Time not to affect Contracts.

5. The Extension of Time granted by this Act shall not affect any Contract entered into or Notice given by the Company before the passing of this Act, but every such Contract and Notice shall be construed and take effect, and the same Proceedings may be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, at Law and in Equity, as if the Extension had not been granted.

As to the awarding of Compensations to Owners, &c.

6. The Justices, Arbitrators, Umpires, or Juries, as the Case may be, who award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Persons interested in Lands taken or used for the Purposes of the Works authorized by the Act of 1852, or injuriously affected by the Construction thereof, shall in estimating the Amount of such Compensation have regard to and assess Compensation for the additional Damage (if any) sustained by

by those Owners, Occupiers, or other Persons, by reason of the Extension of Time by this Act granted.

Portion of sect. 15. of 21 & 22 Vict. c. lxxvii. repealed.

7. So much of the Fifteenth Section of the Act of 1858 as provides that any Shares surrendered to the Company in Payment or in part Payment for any Lands sold by them under the Provisions of the Act of 1852 shall be cancelled, and not re-issued, and that no Shares shall be issued in lieu of any such surrendered Shares, shall be and is hereby repealed: Provided always, that it shall not be lawful for the Company to re-issue Shares surrendered as aforesaid to any greater Extent than Ten thousand Pounds in the whole in nominal Value, and that when and so soon as such surrendered Shares shall have been re-issued to the Extent aforesaid, every Share which has been or may be surrendered to the Company in Payment or in part Payment for Lands sold by them shall be cancelled, and not re-issued.

Expenses of Act.

8. All the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the Company.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.