CHAP. lxxxix.

An Act to extend for a further Period the Time for the Construction of a Portion of the Railway authorised by the Great Northern and Western (of Ireland) Railway Act, 1861; and for other purposes. [4th July 1870.]

A.D. 1870.

Recital of Acts relating to railway herein named.

WHEREAS by "The Great Northern and Western (of Ireland) Railway Act, 1857," the Great Northern and Western (of Ireland) Railway Company (in this Act called the Company) were incorporated:

And whereas further powers have been granted to the Company by several Acts subsequently passed, namely, by "The Great Northern and Western (of Ireland) Railway Act, 1858," "The Great Northern and Western (of Ireland) Railway Act, 1859," "The Great Northern and Western (of Ireland) Railway Act, 1860," "The Great Northern and Western (of Ireland) Railway Act, 1861," "The Great Northern and Western (of Ireland) Railway Act, 1862," "The Great Northern and Western (of Ireland) Railway (Running Powers, &c.) Act, 1864," "The Great Northern and Western (of Ireland) Railway (Capital) Act, 1864," and "The Great Northern and Western (of Ireland) Railway Act, 1866:"

And whereas by the said Act of 1866 the time limited for the construction of the railway to Westport authorised by the said Act of 1861 was extended:

And whereas the said railway authorised by the said Act of 1861 has been completed and opened for traffic as far as the town of Westport, and the time for the construction of that portion of the said railway which lies between the town of Westport and the quay at the harbour of Westport has been further extended by warrant of the Board of Trade, under the provisions of "The Railways (Extension of Time) Act, 1868:"

And whereas it is expedient that further time should be granted to the Company for the construction of the said portion of the said

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railway which lies between the town of Westport and the quay at the harbour of Westport:

And whereas it is expedient that the Company should be authorised to carry the said portion of railway across a certain road on the level, and plans and sections of such level crossing, with a book of reference to the plans, have been deposited with the clerk of the peace for the county of Mayo, and which said plans are hereinafter referred to as the deposited plans:

And whereas the objects and purposes aforesaid 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 of the Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. In citing this Act for any purpose whatsoever it shall be sufficient to use the expression "The Great Northern and Western (of Ireland) Railway (Westport Quay Line) Act, 1870."

8 & 9 Vict. c. 20. and 26 & 27 Vict. c. 92. incorporated.

2. "The Railways Clauses Consolidation Act, 1845," and Part I. of "The Railways Clauses Act, 1863," shall be incorporated with and form part of this Act.

Interpretation.

3. In this Act the expression "the Company" shall mean the Great Northern and Western (of Ireland) Railway Company; the expression "the Act of 1861" shall mean "The Great Northern and Western (of Ireland) Railway Act, 1861;" and the expression "the Act of 1866" shall mean "The Great Northern and Western (of Ireland) Railway Act, 1866."

Extension of time.

4. The time now limited for the construction of so much of the railway authorised by the Act of 1861 as lies between the town of Westport and the quay at the harbour of Westport shall be further extended for a period of two years from the passing of this Act, and if, on the expiration of that time, the said portion of railway shall not then be completed, the powers of the Company for making the said portion of railway shall cease to be exercised except as to so much thereof as shall then be completed.

For securing completion of Quay line.

5. Provided always, that after the expiration of the period by this Act limited for the completion of the said portion of railway, if the same shall not then be completed and opened for public traffic, the Company shall be liable to a penalty of fifty pounds per day, to be recoverable as a debt due to the Crown, for every day after the period so limited until the said portion of railway shall be completed and opened for public traffic, but no penalty shall accrue in respect of

any time during which it shall appear, by a certificate to be obtained from the Board of Trade, that the Company was prevented from completing and opening the said portion of railway by unforeseen accident or circumstances beyond their control; but the want of sufficient funds shall not be held to be a circumstance beyond the control of the Company; provided also, that the Company shall not be liable to any penalty in consequence of the non-completion of a railway or tramway upon the quay at Westport, under the authority of the said Act of 1861.

Level crossing.

6. Subject to the provisions in "The Railways Clauses Consolidation Act, 1845," and in Part I., relating to the construction of a railway, of "The Railways Clauses Act, 1863," contained in reference to the crossing of roads on a level, the Company may, in constructing the said portion of railway, carry the same with a single line of railway only, whilst the railway shall consist of a single line, and afterwards with a double line of railway, across and on the level of the public road numbered on the deposited plans 1, in the parish of Oughaval.

Company not exempt from provisions of present and future general Acts.

7. Nothing herein contained shall be deemed or construed to exempt the Company, or their undertaking, from the provisions of any general Act relating to railways, or 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 or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels authorised by any Act relating to the Company.

Expenses of Act.

8. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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