



CHAPTER liii.

An Act to authorise the Abandonment of the Claremorris A.D. 1877.
Extension of the Athenry and Tuam Railway Company ;
and for other purposes. [28th June 1877.]

WHEREAS by "The Athenry and Tuam Railway Act, 1858," 21 & 22 Vict.
(herein-after referred to as the Act of 1858,) the Athenry c. cxii.
and Tuam Railway Company (herein-after called "the Company")
were incorporated and authorised to make a railway from Athenry
to Tuam, in the county of Galway :

And whereas by "The Athenry and Tuam Railway Act, 1872," 35 & 36 Vict.
(herein-after referred to as the Act of 1872,) the Company were c. cxxxvi.
authorised to construct an extension of their railway from Tuam to
Claremorris, in the county of Mayo :

And whereas no part of the capital authorised by the Act of
1872 has been raised, and none of the powers of that Act in relation
to the making of the said extension railway have been exercised,
and the Company are unable to raise the funds required for the
making thereof, and it is expedient that the same should be
abandoned :

And whereas it is also expedient that certain provisions of
the Act of 1858 should be altered or repealed, and other provisions
made in lieu thereof, as in this Act provided :

And whereas the objects aforesaid cannot be attained 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 :

1. This Act may for all purposes be cited as "The Athenry and
Tuam Railway (Claremorris Abandonment) Act, 1877." Short title.

[Ch. liii.] *The Athenry and Tuam Railway* [40 & 41 VICT.]
(*Claremorris Abandonment*) Act, 1877.

A.D. 1877.

Company to
abandon
Claremorris
Extension.

Compensa-
tion for
damage to
land by
entry, &c.
for the pur-
pose of
railway
abandoned.

Compensa-
tion to be
made in
respect of
railway
abandoned.

Return of
deposit under
Act of 1872,
and applica-
tion thereof.

2. Subject to the provisions of this Act the Company shall abandon the construction of the railway authorised by the Act of 1872.

3. The abandonment by the Company under the authority of this Act of the said railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil, or setting out of the line of railway, and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Company to receive compensation for such temporary occupation, or for any loss, damage, or injury which may have been sustained by such owner or occupier by reason thereof, or of the exercise as regards such land of any of the powers contained in "The Railways Clauses Consolidation Act, 1845," or the Act of 1872.

4. Where before the passing of this Act any contract may have been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the railway and works authorised to be abandoned by this Act, the Company shall be released from all liability to purchase or to complete the purchase of any such lands, but, notwithstanding, full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice, and the amount and application of the compensation shall be determined in manner provided by "The Lands Clauses Consolidation Act, 1845," as amended by any subsequent Act, for determining the amount and application of compensation paid for lands taken under the provisions thereof.

5. Subject to the provisions of section twenty-four of the Act of 1872, the Court of Chancery in Ireland, on the application of the persons or the majority of the persons named in the warrant or order mentioned in section twenty-three of the Act of 1872, or the survivors or survivor of them, or the executors or administrators of such survivor, by petition in a summary way, at any time after the passing of this Act, may and shall order that the sum of two thousand nine hundred and ninety-eight pounds eighteen shillings and ninepence mentioned in the said section twenty-three, and the interest (if any) on that sum, shall be paid to the persons or person so applying, or to any other persons or person whom they or he may appoint in that behalf.

6. When all the debts, liabilities, and engagements of the Company, incurred and entered into under and by virtue of the Act of 1872, are paid, satisfied, or discharged, the Act of 1872 shall be by this Act wholly repealed.

A.D. 1877.
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Repeal of
35 & 36 Vict.
c. cxxxvi.

7. From and after the passing of this Act the half-yearly ordinary meetings of the Company may be held either in the months of April and October, as prescribed by section twelve of the Act of 1858, or in the months of May and November, as may be found most convenient.

Months for
half-yearly
meetings.

8. Section fifteen of the Act of 1858, prescribing the number and qualification of directors, and section sixteen of the same Act (power to reduce number of directors), are hereby repealed. After the passing of this Act the number of directors of the Company shall not be more than six nor less than three, but the Company may from time to time vary the number within the limits of six as the maximum and three as the minimum.

Power to
reduce num-
ber of
directors.

9. 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.

Expenses
of Act.

