



ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. cxlvi.

An Act to enable the *Navan and Kingscourt* Railway Company to make Deviations in their authorized Railway ; and for other Purposes.

[15th July 1867.]

WHEREAS by “The *Navan and Kingscourt* Railway Act, 1865,” (in this Act called “the former Act,”) the *Navan and Kingscourt* Railway Company (in this Act called “the Company”) were incorporated, and authorized to make a Railway from *Navan* in the County of *Meath* to *Kingscourt* in the County of *Cavan* : And whereas the Line and Levels of the said Railway as at present authorized might be advantageously altered between the Points herein-after referred to, and it is expedient that the Company should be enabled to make such Deviations as herein-after described, and to abandon the making of so much of the Line by the former Act authorized as will be rendered unnecessary by the making of the Deviation Railways by this Act authorized, and it is also expedient that the Time for completing such Railways should be extended : And whereas Plans showing the Line or Situation of the proposed Railways, and Sections showing the Levels of those Railways, and a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands shown on the said Plans, have been deposited with the Clerks

[Local.] 26 A of

28 & 29 Vict.
c. cccl.

The Navan and Kingscourt Railway (Deviations) Act, 1867.

of the Peace respectively for the Counties of *Meath* and *Cavan*, within which Counties respectively those Lands and Works are or will be situate: And whereas the Objects of this Act 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 Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title. 1. This Act may be cited for all Purposes as "The *Navan and Kingscourt Railway (Deviations) Act, 1867.*"

Interpreta-
tion of
Terms.

2. In this Act—

The Expression "the Deviation Lines" shall mean the Railway by this Act authorized to be made; and

The Expression "the original Line" shall mean the Line of Railway authorized by the former Act;

and the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall in this Act have the same respective Meanings, unless there be something in the Subject or Context repugnant to or inconsistent with such Construction.

Incorporation of
General Acts
herein
named.

3. "The Railways' Clauses Consolidation Act, 1845," "The Railways Clauses Act, 1863," Part I. (relating to Construction of a Railway), and Part II. (relating to Extension of Time), "The Railways Act (*Ireland*), 1851," "The Lands Clauses Consolidation Act, 1845," (so far as the same is consistent with "The Railways Act (*Ireland*), 1851," as amended by "The Railways Act (*Ireland*), 1860," and "The Railways Act (*Ireland*), 1864,") "The Lands Clauses Consolidation Act Amendment Act, 1860," "The Railways Act (*Ireland*), 1860," and "The Railways Act (*Ireland*), 1864," shall be incorporated with and form Part of this Act.

As to Depo-
sit of Plans
with Clerks
of Unions.

4. Whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that Certificates of any Omissions, Mis-statement, or erroneous Description in certain Plans and Books of Reference therein referred to should be deposited with the Postmaster of the Post Towns in or nearest to the several Parishes in *Ireland* in which the Lands affected thereby should be situate, and it is also provided that certain Plans and Sections of such Alterations in the original Plans and Sections as shall have been approved of by Parliament should also be deposited with such Postmasters, and be retained and produced by them for Inspection in manner therein mentioned: And whereas in compliance with the present Standing Orders of both Houses of Parliament the several Plans, Sections, and other Documents theretofore required to be deposited with the Postmasters of the Post Towns in

Ireland

The Navan and Kingscourt Railway (Deviations) Act, 1867.

Ireland are now deposited with the Clerks of the Unions instead of such Postmasters: Be it therefore enacted, That with reference to this Act all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, and to the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or the Word "Postmaster," in the said Act, shall be read and construed as if the Expression "Clerks of the Unions within which such Parishes are included in *Ireland*," or the Words "Clerk of the Union," as the Case may be, had been used and inserted in such Act in lieu of the Expression "the Postmaster of the Post Towns in or nearest such Parishes in *Ireland*," or in lieu of the Word "Postmaster," as the Case may be.

5. Subject to the Provisions of this Act and of the Acts wholly or partially incorporated herewith, the Company may make and maintain in the Lines and according to the Levels shown on the deposited Plans and Sections the Deviation Lines of Railway herein-after described, with all proper Stations, Approaches, Works, and Conveniences connected therewith, and may enter upon, take, and use such of the Lands delineated on the said Plans and described in the deposited Book of Reference as may be required for that Purpose, or as they may think expedient for carrying this Act into execution.

Power to construct Deviation Lines according to deposited Plans.

6. The Deviation Lines herein-before referred to and by this Act authorized are the following:

Describing Deviation Lines.

- (1.) A new or substituted Portion of Railway One Mile Five Furlongs and one hundred and seventy Yards or thereabouts in Length, commencing by a Junction with the *Dublin and Meath* Railway, and also by a Junction with the *Navan and Kells* Branch of the *Dublin and Drogheda* Railway in the Townland of *Townparks* and Parish of *Navan* in the County of *Meath*, and terminating by a Junction with the original Line in the Townland of *Windtown* and Parish of *Donaghmore* in the County of *Meath*:
- (2.) A new or substituted Portion of Railway Five Furlongs and one hundred and fifty Yards or thereabouts in Length, commencing by a Junction with the original Line in the Townland of *Enniskeen* and Parish of *Enniskeen* in the County of *Cavan*, and terminating in the Townland of *Drumgill* in the Parish of *Enniskeen* in the said County of *Meath* at or near the public Road leading from *Kingscourt* to *Drumcondra*, about Thirty Yards, measured in an Easterly Direction, along the said Road from the County Boundary:

And the Deviation Lines by this Act authorized shall be and be deemed for the Purposes of Tolls and Charges, and for all Purposes whatsoever,

The Navan and Kingscourt Railway (Deviations) Act, 1867.

whatsoever, Part of the *Navan and Kingscourt Railway*, as though they had been authorized by the former Act.

Company to
abandon
certain
Portions of
original
Line.

7. The Company shall abandon the Formation of so much of the original Line as is situate between the Point where Deviation Line Number 1. will commence and the Point where it will terminate as herein-before mentioned, and also of so much of the original Line as is situate between the Point where Deviation Line Number 2. will commence, as herein-before mentioned, and the Termination of the original Line as authorized by the former Act; and all the Powers, Authorities, and Privileges by the former Act granted to the Company for the Construction, Maintenance, or Use of the Portions of the original Line which are by this Act required to be abandoned shall from and after the passing of this Act cease and determine.

Compensa-
tion for
Damage to
Land by
Entry, &c.,
for Purposes
of Railways
abandoned.

8. The Abandonment by the Company under the Authority of this Act of any Portion of any Railway or Works shall not prejudice or affect the Right of the Owner or Occupier of any Land to receive Compensation, in accordance with the Provisions in that Behalf of "The Lands Clauses Consolidation Act, 1845," 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, in accordance with the Provisions in that Behalf of "The Railways Clauses Consolidation Act, 1845," 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 last-mentioned Act, or "The *Navan and Kingscourt Railway Act, 1865.*"

Compensa-
tion to be
made in
respect of
Portions of
Railways
abandoned.

9. 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 any Portions of the Railways or Works authorized to be abandoned by this Act, and which shall not be required for the Purposes of any of the Works by this Act-authorized, 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," for determining the Amount and Application of Compensation paid for Lands taken under the Provisions thereof.

10. Subject

The Navan and Kingscourt Railway (Deviations) Act, 1867.

10. 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 the Level, the Company may in the Construction of the Deviation Lines 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 only, across and on the Level of the Roads next herein-after mentioned; (that is to say,)

Power to cross certain Roads on the Level.

Number on deposited Plan.	Townland.	Parish.	Description of Road.
5	Knockumber -	Navan -	Public Road.
9	Townparks -	Navan -	Public Road.
9	Windtown -	Donaghmore -	Public Road.
4	Enniskeen -	Enniskeen -	Public Road.

11. 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 the Level, the Company may in the Construction of the original Line of Railway, in lieu of the Mode prescribed in the former Act 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 only, across and on the Level of the several public Roads next herein-after mentioned; (that is to say,)

Power to cross certain Roads in the original Line of Railway on the Level.

Number on deposited Plans.	Townland.	Parish.	Description of Road.
6	Silloge -	Kilberry -	Public Road.
15	Knightstown -	Kilshine -	Public Road.
7	Leggagh -	Drakestown -	Public Road.
54	Leggagh -	Drakestown -	Public Road.
12	Castletown -	Castletown -	Public Road.
40	Spiddall -	Nobber -	Public Road.
1	Eden -	Kilmainham -	Public Road.
19	Lisnagrow -	Enniskeen -	Public Road.

12. From and after the passing of this Act the Number of Directors of the Company shall be increased to Seven, and the Qualification, Power, Mode of Appointment, and Relation of any new Directors to be appointed under this Act shall in all respects resemble those laid down and specified in the former Act with regard to the present Directors of the Company: Provided that nothing in this Act con-

Providing for Increase of Number of Directors.

The Navan and Kingscourt Railway (Deviations) Act, 1867.

tained shall empower the *Dublin and Meath* Railway Company to appoint any additional Director or Directors.

Powers for compulsory Purchases limited.

13. The Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this or of the former Act shall remain in force until, but shall not be exercised after, the Expiration of Two Years from the passing of this Act.

Extension of Time to release Company from Forfeiture for Noncompletion of Railway.

14. The Extension of Time hereby granted for the Completion of the Railway shall not release the Company from the Provisions of Section Thirty-eight of the recited Act for securing the Completion of the same.

Period for Completion of Railways.

15. The Undertaking of the Company, meaning by that Expression as well the Portions of the original Line which are not to be abandoned as the Deviation Lines of this Act authorized to be constructed, shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for making the Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Bridges over Road to be constructed at mutual Cost.

16. And whereas the *Navan and Kells* Branch Railway crosses the Road marked Number 9. in the Townland of *Townparks* on the Level with a single Line of Railway, and the Railway Number 1. by this Act authorized is intended to cross the said Road by a single Line of Railway on the Level at the same Point: Be it enacted, That no more than the said Two single Lines of Railway shall be laid across the said Road at said Point on the Level, and after the Railway by this Act authorized shall be constructed over the said Road the Company shall pay a Moiety of the Costs of maintaining the Lodge-keeper at the said level Crossing, who shall act for both the Companies interested therein; and if at any Time after the passing of this Act the Board of Trade require the said Road to be carried over the said Railways by means of a Bridge, the Cost of erecting and maintaining such Bridge shall be paid in equal Proportions, by the Company and the *Dublin and Drogheda* Railway Company.

The Company not to shunt Trains on *Dublin and Drogheda* Railway. Repealing Section 24 of former Act.

17. It shall not be lawful for the Company in shunting Trains to pass any Train over the *Navan and Kells* Branch of the *Dublin and Drogheda* Railway, or at any Time to allow any Train, Engine, Carriage, or Truck to stand across the same.

18. And whereas by the Thirty-fourth Section of the former Act the Company were bound to carry a Portion of their original Line over the Railway of the *Dublin and Drogheda* Railway Company by means of a Bridge or Viaduct to be constructed as in the former Act specified,

The Navan and Kingscourt Railway (Deviations) Act, 1867.

specified, but owing to the Abandonment of Portions of the original Line as herein-before mentioned the Construction of such Bridge is no longer necessary or expedient: Be it therefore enacted, That Section Thirty-four of the former Act be and the same is hereby repealed.

19. Except as is by this Act otherwise expressly provided, nothing in this Act contained shall prejudice, affect, take away, lessen, or alter any of the Powers, Rights, or Privileges of the *Dublin and Drogheda Railway Company*.

Saving Rights of Dublin and Drogheda Railway Company.

20. Save as aforesaid, the Provisions of the former Act shall apply as fully in all respects to the Deviation Lines hereby authorized as to the Portions not abandoned of the original Line; and the Company and the *Dublin and Meath Company* shall have the same Powers of entering into and carrying into effect Agreements or Arrangements with regard to the Deviation or substituted Lines as they would have had with regard to the original Line under the former Act.

Other Provisions of former Acts continued.

21. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the former Act authorized to be made from the Provisions of any General Act relating to Railways 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 authorized by this Act or the former Act, and of the Rates for small Parcels.

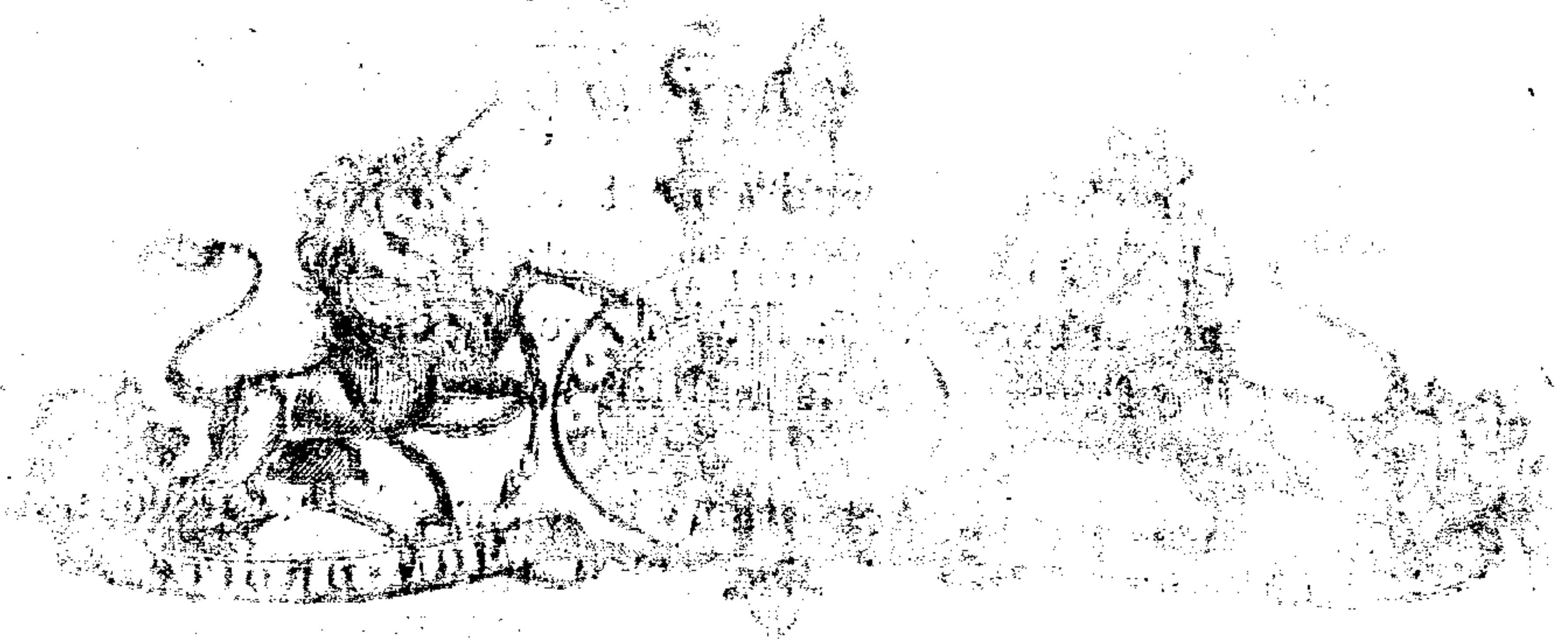
Undertaking not exempt from Provisions of present and future General Acts.

22. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged by the Company.

Expenses of Act.

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AND ENGINEERING & MECHANICAL WORK

VICTORIA RAILWAY

THE COMPANY

The Act to enable the Government to purchase the Victoria Railway to make a Government Railway from Victoria to Melbourne; to make a Junction Railway from Melbourne to the Port Phillip Railway; and for other purposes: 1854.

THE VICTORIA RAILWAY ACT, 1854.
SECTION 1. The Victoria Railway, as defined in section 2 of this Act, shall be a Government Railway, and shall be managed and controlled by the Government, and shall be subject to the same regulations as other Government Railways.
SECTION 2. The Victoria Railway shall consist of the Victoria Railway, as defined in section 3 of this Act, and the Junction Railway, as defined in section 4 of this Act.
SECTION 3. The Victoria Railway shall consist of the Victoria Railway, as defined in section 3 of this Act, and the Junction Railway, as defined in section 4 of this Act.
SECTION 4. The Junction Railway shall consist of the Junction Railway, as defined in section 4 of this Act, and the Victoria Railway, as defined in section 3 of this Act.
SECTION 5. The Victoria Railway shall be managed and controlled by the Government, and shall be subject to the same regulations as other Government Railways.
SECTION 6. The Victoria Railway shall be subject to the same regulations as other Government Railways.
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