



CHAPTER lxxvi.

An Act to extend the time for the completion of the City of Dublin Junction Railways to make provision with reference to superfluous lands and for other purposes. A.D. 1891.

[3rd July 1891.]

WHEREAS by the Dublin Wicklow and Wexford Railway (City of Dublin Junction Railways) Act 1884 (hereinafter called "the Act of 1884") the Dublin Wicklow and Wexford Railway Company (hereinafter called "the Company") were empowered to make and maintain certain railways called the City of Dublin Junction Railways in the City of Dublin between the Westland Row terminus of the Kingstown portion of the railways of the Company and the railways of the Great Northern Railway Company (Ireland) and the Midland Great Western Railway (Ireland) Company on the north side of the River Liffey as a separate undertaking and to raise a separate capital therefor and the period for the completion of the railways thereby authorised was limited to a period of five years from the twenty-eighth day of July one thousand eight hundred and eighty-four :

And whereas by the Dublin Wicklow and Wexford Railway (City of Dublin Junction Railways) Amendment Act 1887 further provision was made with reference to the capital and undertaking of the said City of Dublin Junction Railways :

And whereas by the Dublin Wicklow and Wexford Railway (City of Dublin Junction Railways) Act 1889 (hereinafter called "the Act of 1889") the period limited by the Act of 1884 for the completion of the City of Dublin Junction Railways thereby authorised was extended for a period of two years from the twenty-eighth day of July one thousand eight hundred and eighty-nine :

And whereas the said railways are in course of being constructed and are nearly completed but difficulties having arisen as to the completion of the works it is expedient that the period limited by

A.D. 1891. — the Acts of 1884 and 1889 for the completion of the said City of Dublin Junction Railways should be extended :

And whereas the said railways are wholly situated in the City of Dublin and have been made through lands largely built upon in the said City and in the construction thereof the Company under the provisions of the Act of 1884 have been and may be obliged to acquire lands and buildings situated thereon which are not required for the purposes of the said railways but will be superfluous lands falling under the provisions of the Lands Clauses Consolidation Act 1845 with reference thereto :

And whereas the cost of acquiring such lands has been very large and it is expedient that the Company instead of being under the necessity of disposing of the same within the period prescribed by the Lands Clauses Consolidation Act 1845 should be enabled to retain and hold the same and to sell or to lease for such periods or otherwise deal with and manage and maintain such lands in manner provided by this Act :

And whereas the Company have granted leases of certain of the said lands already acquired by them for periods which will exceed the period prescribed by the Lands Clauses Consolidation Act 1845 with respect to superfluous lands and it is expedient that such leases should be confirmed :

And whereas it is also expedient to make provision with reference to the sale and disposition of lands acquired for the railways forming their general undertaking and which have not yet been applied to the purposes of the Company or sold or disposed of by them (other than the said lands before mentioned acquired or to be acquired for the purposes of the said separate undertaking of the said City of Dublin Junction Railways) :

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 as the Dublin Wicklow and Wexford Railway Act 1891.

Interpretation. 2. In this Act unless the context otherwise requires the words "lands" and "lease" have the same meanings as those assigned to the words "lands" and "lease" in the Lands Clauses Consolidation Act 1845.

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3. The clauses and provisions of Part II. (Extension of Time) of the Railways Clauses Act 1863 are (except where expressly varied by this Act) incorporated with this Act.

Incorporation of part of Act.

4. The period limited by the Act of 1884 as extended by the Act of 1889 for the completion of the City of Dublin Junction Railways authorised by the Act of 1884 shall be and is hereby extended for a period of two years from the twenty-eighth day of July one thousand eight hundred and ninety-one.

Extension of time for completion of railways.

5. The extended period hereby granted for making and completing the said railways shall for all purposes referred to in the Act of 1884 and the Act of 1889 with reference to the completion of the same be deemed to be the period limited by the said Acts for the completion of the same. Provided that if the said railways for the completion of which the period is by this Act extended shall not be completed within the extended period limited by this Act then on the expiration of such period the powers by the Act of 1884 and by the Act of 1889 and by this Act granted to the Company for the construction and completion thereof or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed and the Act of 1884 and the Act of 1889 and this Act shall be read and take effect accordingly.

Extended period to be deemed period limited for completion of railways.

6. The Company may subject to the provisions hereinafter contained retain hold and manage any lands belonging to them and acquired or to be acquired by them under the provisions of the Act of 1884 and which may not be required for the purposes of the said City of Dublin Junction Railways undertaking freed and exempted from the restrictions and provisions of the Lands Clauses Acts or of the Act of 1884 or of any other Act relating to the Company with reference to superfluous lands and (subject to any leases already granted or made by the Company with reference to any such lands) may also at any time and from time to time sell lease or let for such periods or otherwise dispose of or deal with such lands or any part or parts thereof for such price or prices ground or other rent or rents and generally upon such terms and conditions and in such manner as the Company may think fit. Provided that the Company shall within ten years after the passing of this Act sell and assign and dispose of any ground or other rents which may be reserved in respect of any such lands (other than in respect of the lands mentioned in Part I. of the schedule to this Act) and also the inheritance in fee simple in possession of any such lands (except as aforesaid) which may not have been otherwise disposed of. Provided always that the Company may retain in perpetuity or

Power to the Company to hold and deal with superfluous lands with reference to City of Dublin Junction Railways.

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A.D. 1891. — for such time as the Company think fit the said lands mentioned in Part I. of the said schedule without being under any obligation to sell or dispose of the same within such period as aforesaid and may sell lease or otherwise dispose of and deal with the said lands mentioned in Part I. of the said schedule in manner hereinbefore in this section set forth at any time or from time to time hereafter as the Company may think fit And the Company may grant and execute all deeds leases conveyances and other documents necessary for any of such purposes.

Confirmation of leases made as to superfluous lands.

7. Nothing in the Lands Clauses Acts or in the Act of 1884 or in any Act relating to the Company with reference to the sale and disposition of superfluous lands shall invalidate any leases mentioned in Part II. of the schedule to this Act already granted or made by the Company with reference to any of the said lands acquired by the Company under the provisions of the Act of 1884 but not required for the purposes of the said City of Dublin Junction Railways undertaking.

Application of moneys.

8. The Company shall apply the net moneys to be received by them arising from premiums for leases or sales of the said lands or of any part or parts thereof acquired by the Company under the provisions of the Act of 1884 towards the purposes of the said City of Dublin Junction Railways undertaking to which capital is properly applicable and they shall apply the net moneys to be received by them arising from rent or income (other than moneys received on capital account) in respect of the said lands or of any part or parts thereof towards the revenues of the said City of Dublin Junction Railways undertaking.

Provision as to sale of certain lands relating to general undertaking of the Company.

9. The Company may also as regards any lands acquired by them with reference to the railways forming their general undertaking and which have not yet been applied to the purposes of the Company or sold or disposed of by them (other than the said lands acquired or to be acquired by them with reference to the separate undertaking of the City of Dublin Junction Railways as to which provision is hereinbefore made) notwithstanding anything to the contrary contained in the Lands Clauses Acts or in any Act relating to the Company with reference to the sale and disposition of superfluous lands deal with and dispose of any such lands as aforesaid for the periods following (that is to say):—

As regards such of the said lands as are situated near to or adjoining any railway or station of the said general undertaking of the Company or as the Company may be of opinion that they may require for the purposes of stations sidings or other conveniences

for the said railways forming their general undertaking for the period of ten years from the passing of this Act and as regards the other of the said lands for the period of three years from the passing of this Act. A.D. 1891.

10. The Company shall not out of any money received by them in pursuance of this Act pay or deposit any sum which by any Standing Order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking. Deposits for future Bills not to be paid out of capital.

11. Save as by this Act otherwise expressly provided nothing in this Act contained shall exempt the Company or their railways 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 the Act of 1884 with respect to such railways. Provision as to general Railway Acts.

12. 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 as to four-fifth parts thereof out of the funds of the separate undertaking of the City of Dublin Junction Railways and as to the remaining one-fifth part thereof out of the funds of the Company other than the funds of the City of Dublin Junction Railways. Costs of Act.

The SCHEDULE referred to in the foregoing Act.

PART I.

A.D. 1891.

LANDS WHICH THE COMPANY MAY RETAIN.

Description.	Situation.	Numbers on Plans deposited with the Clerks of the Peace of the County of the City of Dublin and of the County of Dublin respectively with reference to the Act of 1884 and referred to in that Act as the deposited Plans.	Parish.
Part of yard and site of old house removed.	Between Westland Row and Park View.	5, 9, and 12	St. Mark's.
Part of site of old house removed -	Between Park View and Great Brunswick Street.	24A	St. Mark's.
Part of site of old house removed and yard.	Between Park View and Great Brunswick Street.	29 and 30	St. Mark's.
Part of site of old houses removed	Great Brunswick Street	34 and 38	St. Mark's.
Part of site of old houses removed	Great Brunswick Street	51, 53, and 54	St. Mark's.
Part of sites of old houses removed	Mark Street corner of Great Brunswick Street.	48 and 49	St. Mark's.
Part of site of old house removed -	Shaw Street - - -	63	St. Mark's.
Part of site of old houses removed and yard.	Shaw Street - - -	71, 72, and 73	St. Mark's.
Part of site of old houses removed	Shaw Street - - -	77 and 79	St. Mark's.
Part of site of old house removed -	Between Shaw Street and Townsend Street.	82	St. Mark's.
Part of site of old house removed -	Between Shaw Street and Townsend Street.	84	St. Mark's.
Part of site of old house removed -	Townsend Street - - -	88	St. Mark's.
Part of site of old houses removed	Luke Street - - -	153, 156, and 159	St. Mark's.
Part of site of old house removed -	George's Quay - - -	177	St. Mark's.
Part of site of old house removed -	Corner of Gardiner Street and Beresford Place.	15	St. Thomas's.
Part of site of old house removed -	Corner of Gardiner Street and Frenchman's Lane.	29	St. Thomas's.
Part of site of old house removed -	Corner of Frenchman's Lane and Morland Place.	31	St. Thomas's.
Part of yard and site of old house removed.	Corner of Frenchman's Lane and Morland Place.	47A	St. Thomas's.
Part of yard and site of old house removed.	Mabbott Street - - -	38 and 43	St. Thomas's.
Part of site of old house removed -	Maobott Street - - -	42	St. Thomas's.
Part of site of old house removed -	Spencer's Row - - -	60	St. Thomas's.
Part of site of old house removed -	Spencer's Row - - -	67	St. Thomas's.
Part of house and yard - - -	Talbot Street - - -	73	St. Thomas's.
Part of site of old houses removed	Talbot Street - - -	74 and 75	St. Thomas's.
Part of site of old houses removed	Talbot Street - - -	78 and 80	St. Thomas's.
Part of site of old houses removed	Talbot Street - - -	93, 94, and 95	St. Thomas's.
Part of site of old house removed -	Amiens Street - - -	102 and 103	St. Thomas's.

PART II.

A.D. 1891.

LEASES CONFIRMED.

Date of Lease.	Term.	Parcels Leased.	Names of Lessees.	Annual Rent.
5 June 1888	21 years from 25 March 1888.	172 Great Brunswick Street Dublin.	T. Pickering & Co.	£45
16 June 1889	21 years from 29 September 1888.	173 Great Brunswick Street Dublin.	Thomas J. Fitzgerald.	£45
22 August 1889.	100 years from 25 March 1889.	178 Great Brunswick Street Dublin.	Charles William Harrison.	£70
5 September 1889.	999 years from 1 January 1889.	Premises at the rear of Townsend Street Dublin.	Irish Church Missions.	1s.
3 June 1889	100 years from 23 March 1889.	47 Talbot Street Dublin.	George Scarlett -	£50

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