



Railways Clauses Consolidation Act 1845

1845 CHAPTER 20

Temporary Use of Lands

XXXVI Power to Justices to order other Lands to be taken.

If the Objection so made as aforesaid be on the ground that other Lands lying contiguous to those proposed to be taken, and being sufficient in Quantity, and such as the Company are hereinbefore authorized to use for the Purposes aforesaid, would be more fitting to be used by the Company, and if in such Case the Company shall refuse to occupy such other Lands in lieu of those mentioned in the Notice, it shall be lawful for any Justice, on the Application of such Owner or Occupier, to summon the Company and the Owners and Occupiers of such other Lands to appear before Two Justices at a Time and Place to be named in such Summons, such Time not being more than Fourteen Days after such Application nor less than Seven Days from the Service of such Summons; and on the Appearance of the Parties, or, in the Absence of any of them, upon Proof of due Service of the Summons, it shall be lawful for such Justices to determine summarily which of the said Lands shall be used by the Company for the Purposes aforesaid, and to authorize the Company to occupy and use the same accordingly.