



WHEREAS by an Order-in-Council dated the 26th day of May, 1884, entitled the Bessbrook and Newry Tramway Order, 1884, pursuant to the provisions of the Tramways (Ireland) Acts, 1860, 1861, 1871 and 1883, a tramway under the name of the Bessbrook and Newry Tramway was authorised to be constructed, maintained and worked by the Bessbrook and Newry Tramway Company (hereinafter referred to as "the Company");

AND WHEREAS by an Order-in-Council dated the 4th day of April, 1887, entitled the Bessbrook and Newry Tramway Company (Abandonment in Part) Order, 1887, pursuant to the provisions of Section 27 of the Tramways (Ireland) Acts, 1860 and 1883, certain portions of the said Tramway were authorised to be abandoned;

AND WHEREAS the said tramway was constructed and has been carried on by the Company;

AND WHEREAS the Company now alleges it is expedient that the remainder of the Bessbrook and Newry Tramway should be abandoned;

AND WHEREAS the powers under Section 27 of the Tramways (Ireland) Act, 1860, as amended by sub-section (2) of Section 23 of the Tramways and Public Companies (Ireland) Act, 1883, to authorise the abandonment of all or any part of the tramway are now exercisable by Order of the Ministry of Commerce and the Company has applied to the Ministry of Commerce to abandon the whole of the said Tramway;

AND WHEREAS, in pursuance of the provisions of the said Section 27 of the Tramways (Ireland) Act, 1860, notice has been given by the Company to the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands in which the work intended to be abandoned is situate;

AND WHEREAS no person or authority concerned has intimated a desire to be heard in regard to the proposed abandonment;

AND WHEREAS the Ministry of Commerce is satisfied it is expedient that the Bessbrook and Newry Tramway as now constituted be wholly abandoned;

NOW, THEREFORE, the Ministry of Commerce hereby orders as follows:

1.—(1) The Company is hereby authorised to abandon and discontinue the maintenance and working of the remaining portions of the Bessbrook and Newry Tramway which were constructed, maintained and worked under the authority of the Bessbrook and Newry Tramway Order, 1884, as from the 20th day of May, 1948, (hereinafter referred to as "the appointed day").

(2) As from the appointed day, the provisions of the Bessbrook and Newry Tramway Order, 1884, which impose upon the Company an obligation to run trams for passenger traffic shall cease to have effect.

2.—(1) As soon as may be after the appointed day, and, in any case, not later than the 1st day of September, 1948, the Company shall with all convenient speed cause to be removed from every public road on or along which the lines of the tramway are laid, all rails, sleepers, posts and other property of the Company being on or in those lines; and the Company shall complete such work, restore the road, and erect proper and sufficient fences along the road wherever required at the junctions of the road and the tramway, to the satisfaction of the County Surveyor of the County in which the road is situate, or, if the road is situate within the District of an Urban Council, to the satisfaction of the Town Surveyor of such Urban District.

(2) The Company shall take steps to ensure that the works to be carried out under this Article are completed in such manner as not to cause danger to users of the road, shall clear away all rubbish, and, from the time the works are commenced, shall cause the place where the road is opened or broken up to be watched, and to be properly lighted at night.

(3) Any difference or dispute arising between the County Surveyor or Town Surveyor and the Company as to the necessity for, or the nature or extent of any works to be carried out under this Article shall be determined by the Ministry of Commerce, and the determination of the said Ministry shall be final.

3. As soon as the works referred to in the preceding Article have been completed to the satisfaction of the County Surveyor and Town Surveyor in question, the provisions of the Bessbrook and Newry Tramway Order which impose upon the Company a liability to maintain and keep in good condition and repair any portion of any public road shall cease to have effect.

4. Until the Company shall have disposed of the lands heretofore used by the tramway, the Company shall be responsible for abating any nuisance which may arise or be committed thereon.

5. This Order may be cited as "The Bessbrook and Newry Tramway (Abandonment) Order, 1948."

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 20th day of May, 1948, in the presence of

(L.S.)

*Arthur Acheson Farrell,*  
Assistant Secretary.

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