

[43 & 44 VICT.] *Belfast Street Tramways Act*, 1880. [Ch. lxxv.]



CHAPTER lxxv.

An Act to extend the period for the completion of the works authorised by the Belfast Street Tramways Act, 1878. A.D. 1880.

[19th July 1880.]

WHEREAS by the Belfast Street Tramways Act, 1872, (in this Act called "the Act of 1872,") the Belfast Street Tramways Company (in this Act called "the Company") were incorporated for the purpose of completing and maintaining certain street tramways in the borough of Belfast which by an order of the Lord Lieutenant of Ireland in Council, made on the 22nd day of December 1871, William Morris and Jorgen Daniel Larsen had been authorised to make and maintain, and which are particularly described in the Act of 1872: 35 & 36 Vict.
c. cxliii.

And whereas by the Belfast Street Tramways Act, 1873, (in this Act called "the Act of 1873,") and by the Belfast Street Tramways Act, 1875, (in this Act called "the Act of 1875,") the Company were authorised to construct additional street tramways in the counties of Antrim and Down: 36 & 37 Vict.
c. ccxxxiii.
38 & 39 Vict.
c. cxxxii.

And whereas by the Belfast Street Tramways Act, 1878, (in this Act called "the Act of 1878,") the Company were authorised and (unless the corporation of Belfast should otherwise agree under their common seal) were required to construct additional tramways, and were also required, when certain of those additional tramways should have been laid down, to remove the rails and materials of their existing tramways authorised by the Acts of 1872, 1873, and 1875, and to re-lay the last-mentioned tramways in accordance with the plans and sections deposited for and referred to in the Act of 1878, and upon the gauge of 4 feet 8½ inches, upon which gauge the additional tramways authorised by that Act were to be constructed: 41 & 42 Vict.
c. ccxxxv.

And whereas by the Act of 1878 the period for the alteration of the Company's existing tramways and the making of the new tramways was limited to two years from the passing of that Act, which received the Royal Assent on the 16th day of August 1878, and it is expedient that that period be extended:

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41 & 42 Vict.
c. clxxx.

And whereas the Company claim to have acquired, under the Act of 1878, certain powers to purchase compulsorily lands which the mayor, aldermen, and burgesses of Belfast (herein called "the corporation") were by the Belfast Improvement Act, 1878, empowered to purchase for making the new street from Bedford Street to Ormeau Road authorised by the last-mentioned Act, and it is expedient that any such power should be repealed:

And whereas the objects of this Act 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; (that is to say,)

Short title.

1. This Act may be cited as the Belfast Street Tramways Act, 1880.

Incorporation of Part II. of
26 & 27 Vict.
c. 92.

2. Part II. (relating to extension of time) of the Railways Clauses Act, 1863, is incorporated with and forms part of this Act, and for the purposes of the provisions thereof the Tramway No. 2 authorised by the Act of 1878 shall be deemed to be a railway.

Construction of Act.

3. The Act of 1878, as amended by this Act, and this Act shall be read together as one Act.

Provisions relating to Tramway No. 2 authorised by
41 & 42 Vict.
c. ccxxxv.

4. Notwithstanding anything contained in the Act of 1878, it shall not be lawful for the Company to purchase any lands which by the Belfast Improvement Act, 1878, the corporation are empowered to purchase; provided that before commencing the construction of the new street from Bedford Street to Ormeau Road authorised by the said Improvement Act the corporation shall serve notice in writing on the Company of their intention to commence the same, and the Company shall concurrently with the construction of the said street by the corporation construct the Tramway No. 2 described in the Act of 1878. If the Company decline or fail to construct the said tramway concurrently with the said street the Corporation may, if they think fit, construct or complete the same. Any sum of money which shall have been reasonably paid by the corporation on account of such construction shall be repaid on demand by the Company to the corporation, or in default may be recovered by the corporation from the Company in any court of competent jurisdiction. Subject as aforesaid, the said tramway shall be constructed and maintained subject to and in accordance with the provisions of the Act of 1878 and the provisions incorporated therewith, and all the said incorporated provisions shall, so far as applicable, extend and apply to this Act.

5. The powers of the Company for the alteration of their existing tramways and for the making of the new tramways authorised by the Act of 1878 may be exercised at any time within, but shall not be exercised after, the expiration of three years from the passing of that Act, and the Company shall construct and complete the new tramways (other than the said Tramway No. 2) authorised by the Act of 1878 within that period, and if the said new tramways, other than aforesaid, shall not be completed within that period the Company shall be liable to a penalty of fifty pounds per month, which may be recovered by the corporation and applied by them in or towards the expense of repairing and improving streets: Provided that the total amount of the penalty so to be recovered from the Company shall not exceed five hundred pounds.

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Extension of
time for
completion
of works au-
thorised by
41 & 42 Vict.
c. ccxxxvi.

6. The provisions of section 8 of the Act of 1878, in relation to the tramways and works by that Act authorised, shall apply to and in the case of the extension of time for the completion of the said tramways and works by this Act authorised, and for the benefit and protection of the commissioners mentioned in that section, as if that section had been re-enacted in express terms in this Act.

Protection of
Belfast Water
Commis-
sioners.

7. Nothing in this Act contained shall exempt the Company or their tramways from the provisions of any general Act relating to tramways, 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 tolls or charges authorised to be taken by the Company.

Provisions as
to general
Tramway
Acts.

8. 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.