



*The Athenry and Ennis Junction Railway Act, 1860.*

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

8 & 9 Vict.  
cc. 16. 18.  
& 20. and  
14 & 15 Vict.  
c. 70., &c. in-  
corporated.

I. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," so far as the same is consistent with "The Railways Act (*Ireland*), 1851," "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*), 1851," are incorporated with and form Part of this Act.

Short Title.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Athenry and Ennis Junction Railway Act, 1860.*"

Interpre-  
tation of  
Terms.

III. In this Act the following Words or Expressions shall have the following Meanings attached to them; (that is to say,) the Expression "the *Midland Company*" shall mean the *Midland Great Western Railway of Ireland Company*; the Expression "the *Midland Railway*" shall mean the Railway of that Company; the Expression "the *Limerick Company*" shall mean the *Limerick and Ennis Railway Company*; the Expression "the *Limerick Railway*" shall mean the Railway of that Company; the Expression "the *Tuam Company*" shall mean the *Athenry and Tuam Railway Company*; and the Expression "the *Tuam Railway*" shall mean the Railway of that Company.

Subscribers  
incor-  
porated.

IV. The Honourable *George Stephens Gough*, Sir *Colman Michael O'Loughlen* Baronet, *Francis Manly Shaw Taylor*, *William Henry Gregory*, *Francis McNamara Calcutt*, *John Martyn*, *Denis Kirwan*, and *Crofton Moore Vandeleur*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, are united into a Company for the Purpose of making and maintaining the Railways herein-after described, with all proper Works and Conveniences connected therewith, according to the Provisions of this Act and the Acts incorporated therewith, and for the Purposes aforesaid such Company is incorporated by the Name of "The *Athenry and Ennis Junction Railway Company*," and by that Name is a Body Corporate, with perpetual Succession and a Common Seal, and has Power to purchase and hold Lands for the Purposes of the said Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

V. Subject to the Powers of converting Loans into Capital in "The Companies Clauses Consolidation Act, 1845," contained, the Capital of the Company in Shares is Two hundred thousand Pounds, and all and every Part of the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

VI. The



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VI. The Number of Shares into which the said Capital shall be divided Shares.  
is Twenty thousand, and the Amount of each Share shall be Ten Pounds.

VII. Two Pounds *per* Share is the greatest Amount of any Call which Calls.  
the Company may make on the Shareholders, and Three Months at the  
least shall be the Interval between successive Calls, and the aggregate  
Amount of Calls in any One Year shall not exceed Six Pounds *per* Share.

VIII. The following Companies (herein-after collectively referred to as Power to  
“the Two Companies”) may subscribe to and hold Shares in the Under- certain  
taking of the Company to any Extent not exceeding the following; (that Railway  
is to say,) Companies  
to subscribe.

The *Midland* Company to the Extent of One hundred thousand  
Pounds :

The *Tuam* Company to the Extent of Ten thousand Pounds :

And it shall not be lawful for either of the Two Companies to assign or  
transfer any Shares which they may acquire in the Undertaking of the  
Company, under the Authority of this Act.

IX. Each of the Two Companies may apply and appropriate to the Power to  
Purposes of such Subscription any Sum or Sums of Money which they those Com-  
have raised or before the passing of this Act were authorized to raise, panies to  
and which may not be required for the Purposes to which they are made apply sur-  
specially applicable, or may raise by the Creation of new Shares in their plus Funds  
Undertaking any Sum of Money not exceeding the Amount which they or raise  
are by this Act authorized to subscribe, but any Sum of Money so raised further  
by the Creation of new Shares shall be applied to the Purposes of such Capital.  
Subscription, and to no other Purpose whatever.

X. Each of the Two Companies may, with the Consent of Three As to raising  
Fifths of the Votes of the Proprietors present in Person or by Proxy at further  
a General Meeting of the respective Company specially convened for the Capital by  
Purpose, create or issue new Shares or Stock in their Undertaking of those Com-  
such Amount, and to be appropriated and disposed of in such Manner panies.  
and to such Persons, and with such Preference or Priority in the Pay-  
ment of Dividend or Interest thereon (not exceeding Five Pounds *per*  
*Centum per Annum*), and with or without the Right of voting in respect  
thereof, and upon such other Terms and Conditions as shall be deter-  
mined by such Meeting; and the following Provisions of “The Com-  
panies Clauses Consolidation Act, 1845,” shall be applicable to the  
Creation and Issue of such Shares, and the Holders or Proprietors  
thereof; (that is to say,)

With respect to the Distribution of the Capital of the Company into  
Shares (Clauses Six to Thirteen);

With respect to the Transfer and Transmission of Shares (Clauses  
Fourteen to Twenty);

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With respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls (Clauses Twenty-one to Twenty-eight);

With respect to the Forfeiture of Shares for Nonpayment of Calls (Clauses Twenty-nine to Thirty-five);

And with respect to the Consolidation of the Shares into Stock (Clauses Sixty-one to Sixty-four):

Provided always, that as regards the *Tuam* Company this Enactment shall not have any Force or Effect unless and until that Company shall have completed and opened for public Traffic their authorized Railway.

Saving Rights of existing Preference Shareholders.

XI. This Act or anything therein contained shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend granted or assigned by either of the Two Companies to any Shares or Stock before the passing of this Act, or conferred by any Act or otherwise lawfully subsisting at the Time of the passing of this Act.

As to Dividends on preferential Shares.

XII. Any new Shares created under the Powers of this Act shall be entitled to the preferential Dividend (if any) which may have been attached to them as aforesaid out of the Profits of each Year available for the Payment thereof; but if in any Year ending the Thirty-first Day of *December* there shall not be Profits available for the Payment of the full Amount of such preferential Dividend for that Year, no Part of the Deficiency shall be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

As to Mode of voting by those Companies.

XIII. Each of the Two Companies may, so soon as they the respective Company have become Subscribers to the Undertaking of the Company, appoint some Person (whether a Proprietor of Shares in the Company or not) to vote on their Behalf at any Meeting of the Company, and may from Time to Time revoke any such Appointment, and appoint another Person in that Behalf, and the Person so for the Time being appointed shall during his Appointment have the same Right of voting at any such Meeting as he would have had if the Shares in the Undertaking for the Time being held by the respective Company were held by such Person in his own Right: Provided always, that every such Appointment or Revocation shall be in Writing, and under the Seal of the respective Company, or under the Hand of the Chairman for the Time being of the Directors of that Company.

Borrowing Powers.

XIV. The Company may borrow on Mortgage of their Undertaking any Sums of Money not exceeding in the whole the Sum of Sixty-six thousand Pounds, but no Part of that Sum shall be borrowed until the whole of the said Capital of Two hundred thousand Pounds shall have been subscribed, and until the Company shall prove to the Justice who is to certify, under the Provisions contained in the Fortieth Section of

“The



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"The Companies Clauses Consolidation Act, 1845," before he certifies, that all such Capital has been subscribed for *bonâ fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, and One Half thereof paid up; and all and every Part of the Money so to be borrowed shall be applied in carrying the Purposes of this Act into execution.

XV. The Mortgagees of the Company may enforce Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver, and the minimum Amount necessary to authorize the Appointment of a Receiver is Ten thousand Pounds in the whole. Arrears may be enforced by Appointment of a Receiver.

XVI. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividends to any Shareholders on the Amount of Calls made in respect of the Shares held by them in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained. Interest not to be paid on Calls paid up.

XVII. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purpose of such Act or Acts, pay or deposit any Sum of Money which by any Standing Order of either House of Parliament for the Time being in force may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking. Deposits on future Bills not to be paid out of Capital.

XVIII. The Number of Directors is Nine, and the Qualification of each Director is the Possession in his own Right of Shares or Stock in the Undertaking amounting in the aggregate nominal Value thereof to Five hundred Pounds or upwards. Number and Qualification of Directors.

XIX. The First Directors of the Company are the Honourable *George Stephens Gough*, Sir *Colman Michael O'Loughlen* Baronet, *Francis Manly Shaw Taylor*, *William Henry Gregory*, *Francis McNamara Calcutt*, *Henry Hodgson*, *Denis Kirwan*, and *Crofton Moore Vandeleur*. First Directors.

XX. The Directors appointed by this Act, or such of them as shall not die or resign, or become disqualified or be removed, shall continue in Election of Directors at First General Office Meeting.

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Office until the First Ordinary General Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may continue in Office the Directors so appointed by this Act, or any Number of them, or may elect new Directors to supply the Places of those not continued in Office the Directors appointed by this Act being eligible to be elected as Members of such new Body.

Subsequent  
Election of  
Directors.

XXI. At the First Ordinary General Meeting to be held in every Year after the First General Meeting the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845."

Power to  
reduce  
Number of  
Directors.

XXII. The Company may from Time to Time reduce the Number of the Directors, provided that the Number after any such Reduction be not less than Six.

Qualification  
of Auditors.

XXIII. Every Auditor appointed under this Act shall have at the least the same Number of Shares as are herein-before required to qualify for a Shareholders' Director.

Periods for  
Balance of  
Books.

XXIV. The Periods to which the Books of the Company shall be brought to Balance shall be the Thirty-first Day of *December* and the Thirtieth Day of *June* in each Year.

Meetings  
of the  
Company.

XXV. The First General Meeting of the Company shall be held in the Month of *September* next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *January* or *February* and *August* or *September*, and every Meeting, whether ordinary or extraordinary, shall be held in *Dublin*, or such other convenient Place in *Ireland* as the Directors for the Time being shall appoint.

Newspapers  
for Adver-  
tisements.

XXVI. The Newspaper in which the Advertisement calling any Ordinary or Extraordinary General Meeting of the Shareholders or Proprietors of the Company is to be inserted shall be some Newspaper published in the County in which the principal Office of the Company is situate.

XXVII. The

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XXVII. The Company may make and maintain the Railway herein-  
after mentioned, with all proper Stations, Sidings, Roads, Approaches,  
Works, and Conveniences connected therewith; (that is to say,) Power to  
make Rail-  
way.

A Railway commencing by a Junction with the *Midland* Railway at  
or near to the *Athenry* Station of that Railway in the Parish of  
*Athenry* in the County of *Galway*, and terminating by a Junction  
with the *Limerick* Railway at or near the *Ennis* Station of that  
Railway in the Parish of *Drumcliffe* in the County of *Clare*.

XXVIII. Whereas Plans and Sections of the Line of Railway by  
this Act authorized, showing the Line and Levels thereof, and also a  
Book of Reference containing the Names of the Owners and Lessees or  
reputed Owners and Lessees and of the Occupiers of the Lands which  
may be required to be taken for the Purposes of this Act, have been  
deposited with the Clerks of the Peace for the Counties of *Galway* and  
*Clare* respectively: Therefore, subject to the Provisions and Powers of  
Deviation in this Act and the incorporated Acts contained, the Company  
may make the Railway in the Line or Course and upon the Lands  
delineated on the Plans and described in the Book of Reference, and  
according to the Levels defined on the Sections deposited as aforesaid,  
and the Company may enter upon, take, and use such of the said Lands  
as shall be necessary for any of the Purposes of this Act. Railway to  
be made ac-  
cording to  
deposited  
Plans,

XXIX. Whereas by "The Railways Clauses Consolidation Act,  
1845," it is provided that Certificates of any Omissions, Mis-statements,  
or erroneous Description in certain Plans and Books of Reference  
therein referred to should be deposited with the Postmasters of the  
Post Towns in or near 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 heretofore required to be deposited  
with the Postmasters of the Post Towns in *Ireland* are now deposited  
with the Clerks of the Unions instead of such Postmasters: Therefore,  
with reference to this Act, all the Provisions of "The Railways Clauses  
Consolidation Act, 1845," relating to the Matters aforesaid, and 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 As to De-  
posit of Plans  
with Clerks  
of Unions.



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or nearest to such Parishes in *Ireland*," or in lieu of the Word "Postmaster," as the Case may be.

Property of  
Midland and  
Limerick  
Companies  
not to be  
interfered  
with.

XXX. Except for the Purpose of effecting the Junctions with the *Midland* Railway and the *Limerick* Railway by this Act authorized, it shall not be lawful for the Company to enter upon, interfere with, take, or use the Railway, Land, Property, or Works of the *Midland* Company and the *Limerick* Company respectively, without the previous Consent in Writing of the respective Company under their Common Seal.

As to Bridge  
over the  
River  
Fergus.

XXXI. The Bridge over the River *Fergus* shall be constructed by the Company with an opening Span similar to that assented to by the Admiralty for the *Limerick and Ennis* Railway Company in One thousand eight hundred and fifty-five.

Plans, &c.  
of Bridge to  
be deposited  
with the  
Admiralty.

XXXII. Previously to commencing the Bridge over the River *Fergus* or the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Bridge and Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral afore-said, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Bridge and Works shall be constructed only in accordance with such Approval; and when any such Bridge and Works shall have been commenced or constructed it shall not be lawful for the Company at any Time to alter or extend the same without obtaining previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Bridge or Works shall be commenced or completed, or be altered, extended, or constructed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charges of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Lights to be  
exhibited at  
Bridge.

XXXIII. During the Construction of the Bridge over the River *Fergus* and Works connected therewith the Company shall cause to be hung out or exhibited every Night from Sunset to Sunrise a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and for ever after the Completion of the Bridge the Company shall cause to be hung out or exhibited upon or near to the Centre of the Bridge every Night from Sunset to Sunrise a  
good



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good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which Lights shall be from Time to Time altered by the Company in such Manner and be of such Description, and be so used and placed, as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall by Writing under the Hand of the Secretary of the Admiralty approve of; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

XXXIV. It shall not be lawful for the Company, or any Person or Persons acting under them, to detain any Vessel, Barge, or Boat navigating the River *Fergus* for a longer Space of Time than may be sufficient to admit of any Carriages or Trains regularly traversing the said Railway and approaching the said Bridge to cross the said River *Fergus*, and for opening the said Bridge to admit such Vessel, Barge, or Boat to pass; and in case the Company, or any Person or Persons acting under them, shall detain any such Vessel, Barge, or Boat, contrary to the Provisions of this Act, or demand, take, or receive any Toll for the Passage of any Person or Persons, Vessel, Barge, or Boat, the said Company or every Person so offending shall in every such Case forfeit and pay the Sum of Ten Pounds, but nothing in this Act shall prevent any Remedy for Damages which any Party may sustain in respect of any such Detention as aforesaid.

Restricting  
Detention of  
Vessels.

XXXV. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid, upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Admiralty  
may order  
local Survey,  
at Expense  
of Company.

XXXVI. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof

Abandoned  
Works may  
be abated by  
Admiralty,  
at Expense  
of Company.

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to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Lands for extraordinary Purposes.

XXXVII. In addition to the Lands authorized to be purchased as aforesaid, it shall be lawful for the Company to purchase by Agreement for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," any Quantity of Land adjoining or near to the Railway not exceeding Five Acres.

Powers for compulsory Purchases limited.

XXXVIII. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years after the passing of this Act.

Period for Completion of Railway.

XXXIX. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the Railway shall cease.

Mode of effecting Communication with Midland and Limerick Railways.

XL. The respective Communications between the Railway and the *Midland* Railway, and between the Railway and the *Limerick* Railway, shall be effected in a substantial Manner by means of Connexion Rails and Points of the Construction and laid in the Manner which the Engineer for the Time being of the *Midland* Company and the *Limerick* Company respectively may from Time to Time approve and require, and shall be executed to his Satisfaction in all respects: Provided always, that in case of Difference between such Engineer and the Engineer of the Company with respect to any Works for effecting such Communications respectively the same shall be determined by an Engineer to be appointed by the Board of Trade.

Expenses of Communications to be borne by the Company.

XLI. The Expenses of the Communications hereby authorized with the *Midland* Railway and with the *Limerick* Railway respectively, and of all the necessary Openings in the Rails of those Railways, and of all other Works which may from Time to Time be requisite for effecting, altering, and amending such Communications, and for repairing and maintaining such Rails and Points, shall be borne and paid by the Company, and such respective Communications, Openings, and Works shall be in the first instance made, and afterwards from Time to Time altered, amended, repaired, and maintained, under the Direction and Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the *Midland* Company and the *Limerick* Company respectively, and in such Manner and by such Ways and Means respectively as shall not injure the *Midland* Railway and the *Limerick* Railway respectively, or impede or interfere with the free, uninterrupted, and safe Passage thereon.

XLII. The



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XLII. The *Midland* Company and the *Limerick* Company respectively may from Time to Time erect, maintain, and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, and other Servants, as these respective Companies may deem necessary, for the Prevention of Damage to or Detention of or Interference with Traffic at or near the Junction of their respective Railway with the Railway hereby authorized, and the working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, and other Servants, shall belong exclusively to those respective Companies; and all the Costs and Expenses during each Half Year of erecting and maintaining and altering such Signals, Works, and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall at the Expiration of each Half Year be repaid to those respective Companies by the Company, on Demand, and in default the Amount of such Costs and Expenses may be recovered by those respective Companies from the Company in any Court of competent Jurisdiction.

Signals, &c. to be erected and maintained, and Persons provided by the Midland and Limerick Companies to prevent Danger at Point of Junction.

XLIII. Provided always, That, except as is by this Act expressly provided, this Act shall not in any way take away, diminish, alter, or prejudice any of the Rights, Powers, Privileges, or Authorities of the *Midland* Company and the *Limerick* Company respectively.

Saving Rights of Midland and Limerick Companies.

XLIV. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Sixteen thousand Pounds, being Eight *per Centum* upon the Amount of the Estimate of the Expense of the Railway authorized by this Act has been deposited with the Court of Chancery in *Ireland* in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum of Sixteen thousand Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railway

Deposit Money not to be repaid until Line opened, or Half the Capital paid up and expended, except on Execution of Bond, &c.

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Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money so deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Sixteen thousand Pounds shall have been executed by the Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Sixteen thousand Pounds if the Company shall not within the Time limited for the Completion of the said Railway either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money and the Interest or Dividends thereof shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Tolls for  
Use of Rail-  
way and  
Carriages.

Passengers.

XLV. The Company may demand and take for the Use of the Railway, and for the Supply of Carriages or Trucks, any Tolls not exceeding the following; (that is to say,)

With respect to Passengers:

For every Person conveyed in or upon a Carriage on the Railway, not exceeding Twopence *per* Mile; and if conveyed in or upon any Carriage



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Carriage belonging to the Company, an additional Sum not exceeding One Penny Halfpenny *per Mile* :

With respect to Animals :

Animals.

Class 1. For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon a Carriage upon the Railway, not exceeding Threepence *per Mile* ; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum not exceeding One Penny *per Mile* :

Class 2. For every Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon a Carriage upon the Railway, not exceeding One Penny *per Mile* ; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum not exceeding One Farthing *per Mile* :

With respect to Goods and other Things :

Goods.

Class 3. For all Compost, Dung, and all Sorts of Manure, Lime, and Limestone, and all undressed Materials for the Repair of public Roads or Highways, not exceeding One Penny *per Ton per Mile* ; and if conveyed in a Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny *per Ton per Mile* :

Class 4. For all Coals, Coke, Culm, Charcoal and Cinders, and all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings, not manufactured into Utensils or other Articles of Merchandise, not exceeding One Penny Halfpenny *per Ton per Mile* ; and if conveyed in a Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny *per Ton per Mile* :

Class 5. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Deals, Stones, Metals (except Iron), Nails, Anvils, Vices, and Chains, not exceeding Twopence *per Ton per Mile* ; and if conveyed in Carriages belonging to the Company, an additional Sum not exceeding Three Farthings *per Ton per Mile* :

Class 6. For all Fish, Cotton, and other Wools, Drugs, manufactured Woods, and all other Wares, Merchandise, Articles, Matters, or Things, not exceeding Threepence *per Ton per Mile* ; and if conveyed in Carriages belonging to the Company, a further Sum not exceeding One Penny *per Ton per Mile* :

Class 7. For every Carriage, of whatever Description, not being adapted and used for travelling on a Railway, if not weighing more than One Ton, not exceeding Fivepence *per Mile* ; and for every such Carriage, if weighing more than One Ton, a further Sum not exceeding One Penny Halfpenny *per Mile* for every additional

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tional Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding Twopence *per* Mile.

Toll for  
locomotive  
Power.

XLVI. The Company may demand and take for the Supply of Engines for drawing or propelling Carriages or Trucks on the Railway any Sum not exceeding One Penny *per* Mile for each Passenger, Animal, or Ton of Goods, or other Articles, Matters, or Things.

Maximum  
Rates of  
Charge.

XLVII. The maximum Rates of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and of Carriages and of locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums; (that is to say,)

For Passen-  
gers.

For every Passenger conveyed in a First-class Carriage, the Sum of Threepence *per* Mile:

For every Passenger conveyed in a Second-class Carriage, the Sum of Twopence *per* Mile:

For every Passenger conveyed in a Third-class Carriage forming Part of a mixed Train, the Sum of One Penny Farthing *per* Mile:

For Animals  
and Goods.

And the maximum Rates of Charge to be made by the Company for the Conveyance of Animals and Goods, including the Toll for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the Sums following; (that is to say,)

For every Animal in Class 1., not exceeding Fourpence *per* Mile:

For every Animal in Class 2., not exceeding Twopence *per* Mile:

For everything in Class 3., not exceeding Twopence *per* Ton *per* Mile:

For everything in Class 4., not exceeding Threepence *per* Ton *per* Mile:

For everything in Class 5., not exceeding Threepence Three Farthings *per* Ton *per* Mile:

For everything in Class 6., not exceeding Fivepence *per* Ton *per* Mile:

For everything in Class 7. not weighing more than One Ton, not exceeding Eightpence *per* Mile:

And if weighing more than One Ton, not exceeding an additional Twopence for every Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton.

XLVIII. Not-



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XLVIII. Notwithstanding any other Tolls by this Act prescribed, the Company shall not, for the Carriage of small Parcels on the Railway, demand and take any Tolls exceeding the following; (that is to say,) Tolls for small Parcels.

For any Parcel not exceeding Seven Pounds in Weight, Fourpence :

For any Parcel exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, Sixpence :

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, Eightpence :

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, One Shilling :

And for Parcels exceeding Fifty-six Pounds in Weight but not exceeding Five hundred Pounds in Weight the Company may demand and take any Sum which they think fit :

Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Parcels in separate Packages.

XLIX. With respect to single Articles of great Weight, notwithstanding the Rate of Tolls by this Act prescribed, the Company may demand and take the Tolls following; (that is to say,) Tolls for Articles of great Weight.

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone or Rope, or other single Article, the Weight of which, including the Carriage, exceeds Four Tons but does not exceed Eight Tons, the Company may demand any Sum not exceeding Sixpence *per Ton per Mile* :

And if conveyed in or upon a Carriage belonging to the Company, an additional Sum not exceeding One Penny *per Ton per Mile* :

And if propelled by an Engine belonging to the Company, a further Sum not exceeding One Penny *per Ton per Mile* :

For the Carriage of any Boiler, Cylinder, or single Piece of Machinery, or a single Piece of Timber, Stone, or Rope, or other single Article, the Weight of which, with the Carriage, exceeds Eight Tons, the Company may demand and take any Sum which they think fit.

L. The following Provisions and Regulations shall be applicable to the fixing of the Tolls; (that is to say,) Regulations as to the Tolls.

For a Fraction of a Ton the Company may demand and take Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

With

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With respect to all Articles, except Stone and Timber, the Weight shall be determined by the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity:

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles the Company may demand Tolls as for Six Miles:

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile.

Company  
may take  
increased  
Charges by  
Agreement.

LI. Nothing herein contained shall prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance of such Goods, except small Parcels, by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

Passengers  
Luggage.

LII. Every Passenger travelling on the Railway may take with him his ordinary Luggage, not exceeding One hundred and fifty Pounds in Weight for each First-class Passenger, One hundred Pounds in Weight for each Second-class Passenger, and Sixty Pounds in Weight for each Third-class Passenger, without any Charge being made for the Carriage thereof.

Power for  
Company to  
use Portions  
of other  
Railways.

LIII. The Company on the one hand, and the *Midland* Company, the *Tuam* Company, and the *Limerick* Company, or any or either of them, on the other hand, may from Time to Time make and carry into effect any Agreement or Agreements for the Use by the Company of the *Athenry* Station of the *Midland* Company and the *Athenry* Station of the *Tuam* Company (if and when any such Station is provided), and the *Ennis* Station of the *Limerick* Company, and so much of the Railway of each of those Three Companies as may be required for the convenient Use by the Company of those Stations respectively, and the Sidings, Watering Places, Offices, and other Works and Conveniences connected with the aforesaid respective Stations and Portions of Railway, upon Payment of such Rents, Tolls, Rates, and Charges, and upon such Terms and Conditions, and subject to such Restrictions and Regulations, as may  
from



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from Time to Time be agreed on between the Company and the Three other Companies respectively: Provided always, that no such Agreement shall confer any Rights with respect to any Station or Portion of Railway belonging to any of the said Three Companies who are not Parties to such Agreement.

LIV. The Company on the one hand, and the *Midland* Company and the *Tuam* Company, or either of them, on the other hand, may from Time to Time enter into and make any Contract or Agreement with respect to all or any of the following Matters; (that is to say,)

Power to enter into Agreements with Railway Companies.

The Use and working by the Two Companies or either of them of all or any Part of the Railway of the Company, and the Use of the Works and Conveniences belonging thereto:

The Conveyance by the Two Companies or either of them of Traffic upon or over the Railway of the Company:

The Division and Apportionment between the Companies Parties to the Agreement of Traffic passing over their Railways or any Part thereof:

The Supply of any Rolling or Working Stock required for working the Traffic of the Company:

The forwarding, Interchange, Transmission, Collection, Delivery, and general Conduct of Traffic:

The Maintenance and Repair of the Railway of the Company:

The Apportionment and Payment of the Costs and Expenses of such working, Maintenance, and Repair:

The Division between the Companies Parties to the Agreement of the Receipts arising from the Traffic upon their respective Railways or any Part thereof respectively.

LV. The Companies Parties to any such Agreement as aforesaid may appoint a Joint Committee composed of such Number of Directors of the Companies as the Companies may think proper, and from Time to Time may alter, vary, and renew any such Committee as Occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the Companies respectively as may be necessary for carrying into effect the Purposes of such Agreement; and every such Joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them in like Manner as the same might have been had and exercised by the Companies respectively or their respective Directors.

Appoint-ment of Joint Com-mittee for carrying the Agreement into effect.

LVI. Any such Agreement shall not in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the

Agreement not to effect Persons

[*Local.*]

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Companies

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not Parties  
thereto.

Companies shall for the Time being respectively be authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into.

Agreement  
not to take  
effect unless  
approved by  
Share-  
holders of  
Companies  
and by the  
Board of  
Trade ;

and subject  
to Revision  
by that  
Board.

LVII. Any such Agreement shall not have any Operation until the same shall have been submitted to and approved of by a Majority of not less than Three Fifths of the Shareholders present, personally or by Proxy, at a Meeting of each of the Companies Parties thereto specially convened for that Purpose, and shall also have been approved of by the Board of Trade: Provided always, that the said Board shall not approve such Agreement without being satisfied that the same has been duly assented to by the Shareholders of the Companies Parties thereto in the Manner required by this Act: And provided also, that it shall be lawful for the Board of Trade, if they think fit, on the Expiration of the first or any subsequent Ten Years from the Commencement of any such Agreement, to cause the same to be revised; and the Board of Trade shall have Power to modify the Terms or Conditions of such Agreement in such Manner as the Board may think necessary, and to declare such Modification to be Part of such Agreement, and the same shall be read and shall take effect accordingly.

Meetings  
how to be  
convened.

LVIII. The Meeting of Shareholders to approve of any such Agreement shall be called by Advertisements inserted for Two successive Weeks in a Morning Newspaper published in *Dublin*, and in some Newspaper of the County in which the principal Office of each Company Party to such Agreement is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Company, to be served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

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

LIX. Nothing in this Act contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any other future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

LX. The



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LX. The Expenses, Costs, and Charges of obtaining and passing of this Act and incidental and preparatory thereto shall be paid by the Company. Expenses of Act.

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LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1860.

