



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. lxxvi.

An Act for making a Railway from the *Waterford and Limerick* Railway at *Killonan* to *Castleconnell*, to be called “The *Limerick and Castleconnell* Railway ;” and for other Purposes.

[26th June 1855.]

WHEREAS the making of a Railway from the *Waterford and Limerick* Railway at *Killonan* near the City of *Limerick* to the Town of *Castleconnell* would be of great public Advantage : And whereas the Persons herein-after named, with other Persons and Corporations, are willing, at their own Expense, to make the same : And whereas the Object aforesaid 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 :

I. “ The Companies Clauses Consolidation Act, 1845,” “ The Lands
Clauses Consolidation Act, 1845,” so far as the same is consistent
[*Local.*] 12 B with 8 & 9 Vict.
cc. 16. 18. &
20. and

The Limerick and Castleconnell Railway Act, 1855.

14 & 15 Vict.
c. 70. incor-
porated.

with "The Railways Act (*Ireland*), 1851," "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*), 1851," shall be 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 Limerick and Castleconnell Railway Act, 1855.*"

Subscribers
incorporated.

III. Sir *Richard Donnellan De Burgho* Baronet, *John Brown* Esquire, *John Quin* Esquire, *Michael Furnell* Esquire, and *Henry William Massey* Esquire, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking hereby authorized, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway 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 shall be incorporated by the Name of "*The Limerick and Castleconnell Railway Company*," and by that Name shall be a Body Corporate, with a perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. And whereas the estimated Expense of making the Railway is Twenty-five thousand Pounds: Be it enacted, That, subject to the Powers of converting Loans into Capital in "The Companies Clauses Consolidation Act, 1845," contained, the Share Capital of the Company shall be Twenty-five 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.

Shares.

V. The Number of Shares into which the said Capital shall be divided shall be Two thousand five hundred, and the Amount of each Share shall be Ten Pounds.

Calls.

VI. Two Pounds *per* Share shall be the greatest Amount of any Call which the Company may make on the Shareholders, and One Half of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Two Months at the least shall be the Interval between successive Calls.

Power to
borrow on
Mortgage.

VII. It shall be lawful for the Company to borrow on Mortgage of their Undertaking any Sums of Money not exceeding in the whole the Sum of Eight thousand Pounds, but no Part of that Sum shall be

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be borrowed until the whole of the said Capital of Twenty-five thousand Pounds shall have been subscribed, 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.

VIII. It shall be lawful for the Mortgagees of the Company to enforce Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and the Amount necessary to authorize the Appointment of a Receiver shall not be less than Five thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

IX. 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.

X. 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.

XI. The First General Meeting shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *February* and *August*; and all Meetings, whether ordinary or extraordinary, of the Company and Directors, shall be held in the City of *Limerick*, or such convenient Place or Places as the Directors for the Time being shall appoint.

Meetings of the Company.

XII. The Quorum for every Meeting of the Company, whether ordinary or extraordinary, shall be Five Shareholders present, personally or by Proxy, and holding in the aggregate not less than Two thousand five hundred Pounds in the Capital of the Company.

Quorum at Meetings of the Company.

XIII. The Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall not be less than

Shareholders may convene Extraordinary Meeting.

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Extraordinary
Meetings.

than Five Shareholders holding in the aggregate not less than Two thousand five hundred Pounds in the Capital of the Company.

Scale of
voting at
Meetings of
the Com-
pany.

XIV. The Scale according to which the Shareholders may vote at Meetings of the Company in respect of their Shares shall be as follows; (that is to say,)

For Five Shares, One Vote;

For Ten Shares, Two Votes;

And One additional Vote for each Ten Shares after the First Ten Shares;

But no Shareholder shall have more than Ten Votes.

Number and
Qualification
of Directors.

XV. The Number of Directors to be appointed as herein-after mentioned shall be not more than Five, nor, subject as herein-after provided, less than Three; and the Qualification of a Director shall, subject to the Provisions herein-after contained, be the Possession in his own Right of Fifty Shares in the Undertaking.

First Di-
rectors.

XVI. Sir *Richard Donnellan De Burgho* Baronet, and *John Brown*, *John Quin*, *Michael Furnell*, and *Henry William Massey*, Esquires, shall be the First Directors of the Company.

Quorum of
Directors.

XVII. The Quorum of a Meeting of Directors shall be Three.

Election of
Directors at
First Gene-
ral Meeting.

XVIII. 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 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, subject to the Provisions herein-after contained, may continue in Office the Directors 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.

XIX. At the First Ordinary General Meeting to be held in every subsequent 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 of "The Companies Clauses Consolidation Act, 1845," and to the Provisions herein-after 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."

XX. Every

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XX. 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 Director.

Qualification
of Auditors.

XXI. 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.

Periods for
Balance and
Inspection of
Books.

XXII. And whereas the *Waterford and Limerick* Railway Company have agreed or may agree to subscribe the Sum of Five thousand Pounds towards the said Undertaking, if authorized by Parliament so to do: Be it therefore enacted, That it shall be lawful for the said *Waterford and Limerick* Railway Company to subscribe towards and become Shareholders in the Undertaking hereby authorized, either in their own Name or in the Name or Names of any Person or Persons to be appointed by them, to the Extent of the Sum before mentioned.

The Water-
ford and
Limerick
Railway
Company
authorized
to subscribe.

XXIII. For such Purpose it shall be lawful for the *Waterford and Limerick* Railway Company, by and with the Authority and Approval of Three Fifths in Value of the Proprietors of Shares in the same Company, present, either personally or by Proxy, at some General Meeting of the Company, special Notice having been duly given thereof as directed by "The Companies Clauses Consolidation Act, 1845," to raise the said Sum of Five thousand Pounds or any Part of the said Sum to be subscribed by them as aforesaid, by the Creation of new Shares or Stock in the Undertaking of the *Waterford and Limerick* Railway Company, of such Amount as the said *Waterford and Limerick* Railway Company at such General Meeting of the Proprietors of the said Company shall determine; or it shall be lawful for the said Company, if they shall think fit, to raise the said Sum or any Portion thereof out of any Funds which they are authorized to raise, or which are now at their Disposal, and not otherwise applied or necessary for the Purposes for which the same may have been raised, or by Mortgage of the Undertaking of the *Waterford and Limerick* Railway Company, in like Manner and subject to the same Provisions as they are by all or any of the Acts relating to the said Undertaking authorized to raise Money by Mortgage or Loan on the Credit thereof: Provided always, that, notwithstanding anything in this Act contained, the Money to be borrowed and which has been borrowed by the said *Waterford and Limerick* Railway Company shall not exceed the Amount authorized to be borrowed by the Acts relating to the said Undertaking.

The said
Company
authorized
to raise
Money for
the Purpose.

XXIV. It shall be lawful for the *Waterford and Limerick* Railway Company, after they shall have so become Subscribers as aforesaid,
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Power to
subscribing
Company to

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appoint Persons to vote for them at Meetings.

from Time to Time to nominate and appoint, under their Common Seal, any Person or Persons to vote on their Behalf in respect of the Shares so held by them at any Meeting of the Company.

Power to make Railway.

XXV. It shall be lawful for the Company to make and maintain a Railway, with all proper Works and Conveniences connected therewith, commencing by a Junction with the Line of the *Waterford and Limerick* Railway in the Townland of *Killonan* and Parish of *Kilmurry* in the County of *Limerick*, and terminating at the Town of *Castleconnell* in the same County.

Railway to be made according to deposited Plans, &c.

XXVI. Whereas Plans and Sections of the proposed Railway, showing the Lines and Levels thereof, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which the same is intended to pass, have been deposited with the Clerk of the Peace for the County of *Limerick*: Be it enacted, That it shall be lawful for the Company, subject to the Provisions contained in this Act and the Acts incorporated herewith, to make and maintain the said Railway in the Line and upon the Lands delineated on the said Plans and Sections and described in the said Book of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

As to Deposit of Plans with Clerks of Unions.

XXVII. And whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that Certificates of any Omissions, Misstatement, or erroneous Description in certain Plans and Books of Reference therein referred to shall be deposited with the Postmasters of the Post Towns in or nearest to the several Parishes in *Ireland* in which the Lands affected thereby shall 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 by Parliament shall 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 Poor Law Unions, instead of such Postmasters: Be it therefore enacted, That, with reference to this Act, all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, and to 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

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used and inserted in such Act, in lieu of the Expression "the Postmaster of the Post Towns in or nearest to such Parishes in Ireland," or in lieu of the Word "Postmaster," as the Case may be.

XXVIII. The Junction hereby authorized with the *Waterford and Limerick* Railway shall be made at the Point and according to the Levels shown on the said Plans and Sections, and not elsewhere or otherwise, without the Consent in Writing of the *Waterford and Limerick* Railway Company, and that all Communications between the Railway hereby authorized and the *Waterford and Limerick* Railway shall be effected in a substantial and workmanlike Manner by means of Connexion Rails and Points of the Construction and laid in the Manner most approved from Time to Time and to the reasonable Satisfaction for the Time being of the Engineer in Chief of the *Waterford and Limerick* Railway Company.

As to Junction with the *Waterford and Limerick* Railway.

XXIX. The Expense of the Communication hereby authorized with the *Waterford and Limerick* Railway, and of all necessary Openings in the Rails thereof respectively, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of watching, regulating, and adjusting the same, and the Passage of the Traffic there, shall be borne and paid by the Company; and all such Communications, Openings, and other Works shall not only be in the first instance made and done but also shall from Time to Time be altered, amended, repaired, and maintained to the reasonable Satisfaction for the Time being of the Engineer in Chief of the *Waterford and Limerick* Railway Company on each Occasion, and in such Manner and Form, and by such Ways and Means, as shall not in anywise prejudice or injure the said *Waterford and Limerick* Railway Company, or (except in so far, if at all, as may be unavoidably necessary for effecting the Communication hereby authorized,) impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along their Railway; and the Control and Management of all such Communications, Openings, and other Works shall be and the same is hereby vested in the said *Waterford and Limerick* Railway Company, subject to the Provision for Settlement of Differences herein-after contained.

Provision as to Expense of Junction.

XXX. If any Difference shall arise between the respective Engineers in Chief for the Time being of the said Companies with respect to the Point at which the said Communication, Opening, and other Works, or any of them, are or is to be constructed, or the Mode of constructing the same, or with respect to any Alteration, Amendment, Repairs, or Maintenance thereof, or the watching, Regulation, or Adjustment thereof, or the Passage or Regulation of the Traffic thereof, or if any other Difference shall arise between the said Companies with respect to

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to the Expenses payable by the Company under the foregoing Provisions, or with respect to any other Matter in any way relating to or consequent upon the Construction or Use of the said Communication, Openings, and other Works, the Matters in difference shall from Time to Time be decided by an Umpire to be appointed by the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, on the Application of either Company; and the Decision of such Umpire shall be binding and conclusive on both the said Companies, and his Expenses in relation thereto shall be defrayed by such One of the said Companies, or by both of them, and in such Proportions, as the said Umpire shall from Time to Time direct.

Saving
Works and
Property of
the Water-
ford and
Limerick
Railway
Company.

XXXI. Notwithstanding anything in this Act contained, it shall not be lawful for the Company, or for any other Company, or any Persons acting under or in execution of this Act, without the Consent of the said *Waterford and Limerick* Railway Company under their Common Seal, either permanently or temporarily, to enter upon, take, or use any of the Lands or Property of the said *Waterford and Limerick* Railway Company, or which they have Power to take or use under their respective Acts of Parliament, or in any Manner to alter, vary, or interfere with their Railways or any of the Works appertaining thereto, saving only for the Purpose of constructing the Railway and effecting the Communications by this Act authorized.

Saving
Rights of
the Water-
ford and
Limerick
Railway
Company.

XXXII. Except as in this Act otherwise expressed, nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities of or vested in or belonging to the said *Waterford and Limerick* Railway Company, but all their Rights, Privileges, Powers, Franchises, and Authorities under their several Acts of Parliament and otherwise are hereby expressly saved and reserved.

Certain
Roads may
be crossed on
the Level.

XXXIII. Subject to the Provisions in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company to carry the said Railway across and on the Level of the several public Roads numbered on the Plans deposited as aforesaid as follows; (that is to say,)

Public Road numbered 7 in the Townland of *Stradbally North*, Parish of *Stradbally* and County of *Limerick* :

Public Road numbered 9 in the Townland of *Lisnagry*, Parish of *Stradbally* and County of *Limerick* :

Public Road numbered 1 in the Townland of *Ballynagowan*, Parish of *Stradbally*, and 2 in the Townland of *Rivers*, Parish of *Killeenagarrieff* and County of *Limerick* :

Public Road numbered 7 in the Townland of *Clyduff West*, Parish of *Killeenagarrieff* and County of *Limerick* :

Public

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Public Road numbered 15 in the Townland of *Killonan*, Parish of *Derrygalvin* and County of *Limerick*.

XXXIV. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at each of the Points where the before-mentioned Roads shall be crossed on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Company to erect Stations or Lodges where Roads cross on the Level.

XXXV. It shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time either before or after the Railway by this Act authorized to be made shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the hereinbefore mentioned Roads either under or over the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, and to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Board of Trade may require Bridges to be erected in lieu of level Crossings.

XXXVI. The Company shall and they are hereby required, previously to the Completion of the Railway and the opening of the same for public Traffic, to purchase and take such a Quantity of Land as shall be sufficient for the Purpose of laying down a double Line of Rails thereon, and shall plant and construct the Hedges and Fences to the Railway at such Distances from each other as will leave sufficient Width between the same Hedges and Fences for the Purpose of laying down a double Line of Rails; and shall construct the Bridges and Tunnels of such Dimensions as will admit of a double Line of Rails being placed on the said Railway, and being used for the Purposes of the same.

Company to purchase Land for a double Line.

XXXVII. In case the Railway by this Act authorized to be made shall be constructed with a single Line of Rails only, it shall be

Board of Trade may require a

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lawful

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double Line
of Rails to
be laid down.

lawful for the Board of Trade, at any Time after the Completion and opening of the Railway, to require that another Line of Rails shall be laid down, and to certify the Works necessary or proper to be executed by the Company, and by such Certificate to require the Company to execute such Works within a certain Time after the Service of such Certificate, to be appointed by the said Board.

Penalty for
not laying
down double
line of Rails
when re-
quired.

XXXVIII. If the Company shall fail to lay down another Line of Rails, when required so to do by the Board of Trade, and to execute and complete the necessary Works as aforesaid within the Period appointed for that Purpose in such Certificate, they shall forfeit to Her Majesty the Sum of Twenty Pounds for every Day during which such Works shall remain uncompleted beyond the Period so appointed for their Completion; and such Penalty may be recovered in any of Her Majesty's Courts of Record.

Lands for
extraordi-
nary Pur-
poses.

XXXIX. The Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Five Acres.

Period for
compulsory
Purchase of
Lands
limited.

XL. 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 Two Years from the passing of this Act.

Period for
Completion of
Railway.

XLI. The Railway shall be completed within Three Years from the passing of this Act; and on the Expiration of such Period the Powers by this or the said recited Acts granted to the Company for executing the said Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Deposit
Money not to
be repaid
unless Line
completed
within Time
limited, or
Half the
Capital paid
up and ex-
pended, ex-
cept on Exe-
cution of
Bond.

XLII. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of One thousand eight hundred and seventy-five Pounds, being One Tenth Part of Three Fourths of 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: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of One thousand eight hundred and seventy-five 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 hereby incorporated

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incorporated 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 Amount 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 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 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 One thousand eight hundred and seventy-five 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 One thousand eight hundred and seventy-five Pounds if the Company shall not, within the Time limited for the Completion of the said Railway for the public Conveyance of Passengers, 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 Moneys 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

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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.

XLIII. It shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following ; (that is to say,)

Tonnage on Articles of Merchandise.

1. In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows :

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

For all Coals, Coke, Culm, Charcoal, and Cinders, 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, *per Ton per Mile* not exceeding One Penny Halfpenny ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny :

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

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

And for every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Sixpence :

And a Sum of Twopence *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh ; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding Twopence.

XLIV. In

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XLIV. In respect of Passengers and Animals conveyed in Carriages upon the Railway it shall be lawful to demand as follows :

Tolls for
Passengers
and Cattle.

For every Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny Halfpenny :

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 any such Carriage, *per* Mile not exceeding Threepence ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny :

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

XLV. The Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls by this Act authorized to be taken.

Tolls for
propelling
Power.

XLVI. The maximum Rates of Charges to be made by the Company for the Conveyance of Passengers upon the said Railway, including the Tolls 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 following Sums :

Maximum
Charges for
Conveyance
of 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, the Sum of One Penny *per* Mile.

XLVII. The Restrictions as to Charges to be made for Passengers and Articles herein-before and herein-after mentioned shall not extend to any Special Trains, but only to the Express and Ordinary Trains appointed or to be appointed from Time to Time by the Company.

Restriction
as to Charges
not to apply
to Special
Trains.

XLVIII. It shall not be lawful for the Company to charge, in respect of the several Articles, Matters, and Things, and of the several Description of Animals herein-after mentioned, conveyed on the Railway by this Act authorized, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, (except

Maximum
Charges for
Conveyance
of Goods and
Cattle.

[*Local.*]

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a reason-

The Limerick and Castleconnell Railway Act, 1855.

a reasonable Charge for the expense of loading and unloading, where such Service is performed by the Company,) than the several Sums herein-after mentioned ; (that is to say,)

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repairs of public Roads or Highways, *per Ton per Mile* Twopence :

For all Coals, Coke, Culm, Charcoal, and Cinders, 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, *per Ton per Mile* Twopence Halfpenny :

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Threepence Farthing :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* Fivepence :

For every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* Eightpence :

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 any such Carriage, *per Mile* Fourpence :

And for every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per Mile* One Penny Halfpenny.

Regulations
as to the
Tolls.

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

For Articles or Persons conveyed on the Railway for a less Distance than Three Miles the Company may demand the Tolls and Charges herein-before prescribed as for Three Miles :

For a Fraction of a Mile beyond Three Miles or beyond any greater Number of Miles the Company may demand Tolls on Merchandise, Articles, Matters, or Things 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 to Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile :

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction ;
and

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and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

With respect to all Articles, except Stones and Timber, the Weight shall be determined according to 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.

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

For the Carriage of small Parcels on the Railway or any Part thereof, as follows :

For any Parcel not exceeding Seven Pounds in Weight, Three-pence ;

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

For any Parcel exceeding Fourteen Pounds in Weight and not exceeding Twenty-eight Pounds in Weight, One Shilling ;

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

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

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

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

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they may think fit.

LI. Nothing herein contained shall be held to 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, Company may take increased Charges by Agreement,

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Goods, either in respect to 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 upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve 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 the
Waterford
and Limerick
and Limerick
and Castle-
connell Rail-
way Com-
panies to
enter into
Traffic Ar-
rangements.

LIII. The *Limerick and Castleconnell* Railway Company and the *Waterford and Limerick* Railway Company may from Time to Time enter into Agreements with respect to the following Purposes or any of them ; (that is to say,)

The Use and Working by the *Waterford and Limerick* Railway Company of all or any Part of the Railway of the *Limerick and Castleconnell* Railway Company, and the Use of the Works and Conveniences belonging thereto :

The Conveyance by the *Waterford and Limerick* Railway Company of the whole or any Part of the Traffic upon the said Railway :

The Division and Apportionment of such Traffic between the said Companies :

The Supply of any Rolling or Working Stock required for such Purposes :

The Management, Maintenance, and Repair of the said Railway :

The Costs and Expenses of such Working, Management, Maintenance, and Repair :

The Forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the *Waterford and Limerick* Railway to and along the *Limerick and Castleconnell* Railway or any Part thereof, or which may be conveyed upon and from the *Limerick and Castleconnell* Railway to and along the *Waterford and Limerick* Railway or any Part thereof :

The Collection, Delivery, and general Conduct of such Traffic :

The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies in respect of the Traffic conveyed over their several Railways or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways respectively :

The Collection, taking, and levying of the said Tolls, Rates, and Charges :

The

The Limerick and Castleconnell Railway Act, 1855.

The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways or any Part thereof respectively, subject to any Deductions to be made therefrom or any Rent or other Consideration to be paid by either of the said Companies to the other of them, by virtue of the said Agreement.

LIV. Any such Agreement shall not be for more than Ten Years ; and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade ; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies shall for the Time being be respectively 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 said 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 : 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 several Companies Parties thereto in Special Meeting assembled for that Purpose.

Duration of Agreement to be approved by the Board of Trade.

Agreements not to affect Persons not Parties thereto.

LV. In estimating the Toll or Charge to be paid in respect of Articles or Persons conveyed partly upon the *Waterford and Limerick* Railway and partly upon the Railway by this Act authorized, during the Continuance in force of any such Agreement as aforesaid, the Distance traversed shall be reckoned continuously upon both Railways as if the said Railways were One Railway.

During Agreement, Railways to be treated as One in estimating Tolls and Charges.

LVI. The said Companies may, by any such Agreement as aforesaid, appoint a Joint Committee, composed of such Number of Directors of the said Companies as the said 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 said 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 said Companies respectively or their respective Directors.

Appointment of Joint Committee for carrying the Agreement into effect.

LVII. At the Expiration of the said Agreement, the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies
[Local.] 12 F panies

Agreement may be renewed, with

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the Approval
of the Board
of Trade.

Public
Notice to be
given of the
Intention to
enter into
Agreements.

Agreement
inoperative
until ap-
proved by
the Board of
Trade.

Working
Arrange-
ments, &c.
not to take
effect unless
approved by
Three Fifths
of the Share-
holders.

Meeting, how
to be con-
vened.

Railway not
exempt from
Provisions of
present and
future Gene-
ral Acts.

panies respectively, and subject to the Approval of the Board of Trade, may enter into a further Agreement for all or any of the Purposes aforesaid; provided, that before such Companies shall enter into such further Agreement as aforesaid they shall give Notice of their Intention to enter into such Agreement by Advertisement in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway or Railways to which such proposed Agreement relates is situated; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

LVIII. None of the Powers and Provisions of this Act with respect to the Use, working, or managing of the Railway by the *Waterford and Limerick* Railway Company, or with respect to the Interchange of Traffic between that Company and the *Limerick and Castleconnell* Railway Company, shall have any Operation or Effect unless and until the Contracts or Arrangements intended to be made for such Purposes respectively shall have been submitted to and approved by a Majority of not less than Three Fifths of the Shareholders of the last-mentioned Company, present personally or by Proxy at a Meeting specially convened for that Purpose, and no such Agreement shall have any longer Duration than Ten Years.

LIX. Such Meeting 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 the Company 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.

LX. Nothing herein contained shall be deemed or construed to exempt the Company or the Railway by this Act authorized to be made from the Provisions of any General Act relating to such 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 this or any future Session of Parliament, or from any future Revisions and Alterations, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act, or of the Rates for small Parcels.

LXI. In

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LXI. In this Act the Words "the Company" shall mean the *Limerick and Castleconnell Railway Company* incorporated by this Act; and the Words "the Undertaking" shall mean the Railway and Works by this Act authorized to be made.

Interpreta-
tion of
Terms.

LXII. The Expenses and Charges attending or incidental to the applying for and obtaining this Act shall be paid by the Company.

Expenses of
Act.

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