



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. lxxxviii.

An Act for making a Railway from the Town of
Dundalk in the County of *Louth* to the Town of
Black Rock in the said County.

[26th June 1855.]

WHEREAS the Construction of a Railway from the Town of *Dundalk* to the Town of *Black Rock* in the County of *Louth*, with a Branch Railway or Spur therefrom, connecting the same with the *Dundalk and Enniskillen* Railway, would be of great public and local Advantage: And whereas the Persons herein-after named, together with other Persons, are willing at their own Expense to carry such Undertaking into execution if authorized so to do, and are desirous of being incorporated into a Company for that Purpose: And whereas it is expedient that the Company so to be incorporated and the *Dundalk and Enniskillen* Railway Company should (if they should respectively think fit) be empowered to enter into Arrangements with respect to the Working and Use of the Railway and Works by this Act authorized to be constructed; but the several Purposes 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

[*Local.*]

13 Z

Temporal,

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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.
and 20. in-
corporated.

I. "The Companies Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*), 1851," shall (save as to such Parts thereof as are expressly varied or excepted by this Act) be incorporated with this Act.

Short Title.

II. In citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "*The Dundalk and Black Rock Railway Act, 1855.*"

Incorpora-
tion of Com-
pany.

III. The Honorable *Augustus George Frederick Jocelyn, John Townley, James Shekleton, Patrick James Byrne, Torquil Macneill, Russell Patteson, Edward Hare Croker, James Murphy, William Robson, Telford Macneill*, 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, shall be united into a Company for the Purpose of making and maintaining the Railway and Works herein-after described, with all proper Works and Conveniences belonging thereto, according to the Provisions of this Act, and for other the Purposes herein and in the said incorporated Acts respectively contained ; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Dunkalk and Black Rock Railway Company,*" and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have the Power to purchase and hold Lands for the Purposes of the Undertaking within the Restrictions herein and in the said incorporated Acts contained.

Capital.

IV. The Capital of the Company shall be Twelve thousand Pounds Sterling, and the Number of Shares into which the said Capital shall be divided shall be One thousand two hundred Shares, and the Amount of each Share shall be Ten Pounds.

Calls.

V. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company shall be authorized to make on the Shareholders, and One Month at least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon such Share.

Interest or
Dividend not
to be paid on

VI. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividends to

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to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein contained shall be deemed to prevent the Company from paying 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. Calls paid up.

VII. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be 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. Deposit for future Bills not to be paid out of Company's Capital.

VIII. It shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole Four thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Twelve thousand Pounds shall have been subscribed for, and One Half Part thereof shall have been actually paid up; and all Monies raised under the Powers of this Act, either by Shares or by borrowing, shall be applied in carrying out the Purposes of this Act only, and for no other Purpose. Power to borrow Money on Mortgage.

IX. It shall be lawful for the Mortgagees of the Company to enforce the Payment of Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver in the event of the Principal Money due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Five hundred Pounds in the whole. Arrears may be enforced by Appointment of Receiver.

X. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act. First Ordinary Meeting.

XI. The Number of Directors of the Company shall be Six, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking. Number and Qualification of Directors.

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

XIII. The Honorable *Augustus George Frederick Jocelyn*, *John Townley*, *James Shekleton*, *Patrick James Byrne*, *Torquil Macneill*, and *Russell Patteson*, shall be the First Directors of the Company. First Directors.

XIV. All

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Newspapers
for Adver-
tisements.

XIV. All Advertisements relating to the Affairs of the Company shall be inserted in at least One of the Newspapers published in the County of *Louth*.

Power to
make Rail-
way and
Works ac-
cording to
deposited
Plans.

XV. Whereas Plans and Sections of the proposed Railway and Works, showing the Line and Levels thereof, and also a Book of Reference thereto, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through which the same are intended to pass, or which may be required for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace for the County of *Louth*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Railway may be made in the Line or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and, subject to the aforesaid Provisions, it shall be lawful for the Company to enter upon, take and use such of the said Lands as shall be necessary for such Purpose.

As to De-
posit of Plans
with Clerks
of Unions.

XVI. Whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that Certificates of any Omissions, Mis-statements, or erroneous Descriptions 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 of 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 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, shall be read and construed as if, instead of the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," the Expression "Clerks of the Unions within which such Parishes are included in *Ireland*," and as if, instead of the Word "Postmasters," the Words "Clerks of the Union" had been used and inserted in that Act throughout those Provisions.

Line of Rail-
way.

XVII. The Railway shall commence in the Parish of *Dundalk* in or near the Town of *Dundalk* in the County of *Louth*, and shall terminate

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terminate at or near *Coffey's Square* in the Town of *Black Rock* in the Parish of *Haggardstown* in the said County of *Louth*, and shall comprise also a Branch Railway or Spur diverging from the Railway at or near the Foot Bridge crossing the *Dundalk and Enniskillen* Railway near the *Rampart River* adjoining the Town of *Dundalk*, to connect the same with the *Dundalk and Enniskillen* Railway at or near the said Foot Bridge.

XVIII. The proposed Railway shall be carried over the *Dundalk and Enniskillen* Railway by means of a Bridge of at least the Dimensions of the Public Road Bridges (or One of them) now existing over the said *Dundalk and Enniskillen* Railway, and by no other Means whatsoever.

Railway to be carried over *Dundalk and Enniskillen* Railway by means of a Bridge.

XIX. The Construction of the said Bridge and the necessary Works connected therewith, and the Communication between the Railway hereby authorized to be made and the *Dundalk and Enniskillen* Railway, and all such Openings in the Ledges or Flanches of that Railway as may be necessary or convenient for effecting such Communication, shall be made and maintained at the sole Expense of the Company hereby incorporated, but under the Direction and Superintendence and to the Satisfaction of the Engineer to be nominated for that Purpose by the *Dundalk and Enniskillen* Railway Company; and in case of any Difference arising between the Engineer of the Company and that of the *Dundalk and Enniskillen* Railway Company as to the Mode of effecting such Communication, then the same shall be determined by a Referee, to be appointed on the Application of either Party by the Board of Trade.

Communication with *Dundalk and Enniskillen* Railway to be made under the Direction of the Engineer of that Railway.

XX. Nothing in this Act or in the Acts incorporated therewith contained shall authorize or enable the Company hereby incorporated to take or enter upon any of the Lands belonging to the *Dundalk and Enniskillen* Railway Company, or to alter, vary or interfere with the said *Dundalk and Enniskillen* Railway or any of the Works thereof, further or otherwise than is necessary for the convenient Junction and Intercommunication between the *Dundalk and Enniskillen* Railway and the Railway hereby authorized.

Not to interfere with Works of the *Dundalk and Enniskillen* Railway Company.

XXI. Any Interchange of Traffic between the *Dundalk and Enniskillen* Railway and the Railway hereby authorized shall be subject to the Rules, Regulations, and Byelaws in force for the Time being of the *Dundalk and Enniskillen* Railway Company.

As to Interchange of Traffic between proposed Railway and the *Dundalk and Enniskillen* Railway.

XXII. If any Delay or Interruption of the Traffic upon the *Dundalk and Enniskillen* Railway shall be occasioned in or by the Execution of any of the Works by this Act authorized, the Company hereby

Penalty for Interruption of Traffic upon the *Dundalk and*

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Enniskillen
Railway.

hereby incorporated shall pay to the said *Dundalk and Enniskillen* Railway Company for every Day during which such Delay or Interruption shall continue the Sum of Fifty Pounds, in addition to any special Damage occasioned thereby; and every such Penalty or Penalties, and all such Damages, shall be recoverable with Costs by Action in any Court of competent Jurisdiction.

Saving
Rights of
Dundalk and
Enniskillen
Railway
Company.

XXIII. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Property, Rights, Privileges, or Powers of the *Dundalk and Enniskillen* Railway Company, otherwise than is herein expressly provided.

Lands for
extraordi-
nary Pur-
poses.

XXIV. The Company may purchase by Agreement, and not compulsorily, for extraordinary Purposes, as defined in "The Railways Clauses Consolidation Act, 1845," any Quantity of Land not exceeding Fifteen Acres.

Limiting
Time for
compulsory
Purchase of
Lands.

XXV. 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.

Limiting the
Time for
Exercise
of other
Powers.

XXVI. The Railway shall be completed within Three Years from the passing of this Act, and on the Expiration of that Period all the Powers hereby granted to the Company for making the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Security for
Completion
of Railway
within Time
limited.

XXVII. And 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, the Sum of Eight hundred and sixty-two Pounds Ten Shillings, 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: Therefore, notwithstanding anything contained in the said recited Act, the said Sum of Eight hundred and sixty-two Pounds Ten Shillings, 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 Survivor or Survivors of them, unless the said Company shall, previously to the Expiration of the Period by this Act limited for the Completion of the Railway, 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

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that the said 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 said 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 Eight hundred and sixty-two Pounds Ten Shillings shall have been executed by the said 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 Eight hundred and sixty-two Pounds Ten Shillings, if the said Company shall not, within the Period by this Act limited for the Completion of the 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 said 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, or the Executors or Administrators of such Survivor; 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.

XXVIII. It

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Tolls.

XXVIII. 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
Merchan-
dise.

First. 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 and conveyed on a Truck or Platform, *per Mile* not exceeding Sixpence ; and a Sum of One Penny Halfpenny *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton up to Four Tons, 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.

Tolls for
Passengers
and Cattle.

XXIX. In respect of Passengers and Animals conveyed in Carriages upon the Railway, the Company may demand any Tolls for the Use of the Railway not exceeding the following ; (that is to say,)

For every Person conveyed in or upon any 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

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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 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 any 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.

XXX. 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.

XXXI. The maximum Rates of Charges 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 for locomotive Power, and for every other Expense incidental to such Conveyance, shall not exceed the following Sums:

Maximum Charges for Conveyance of Passengers.

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.

XXXII. The Restrictions as to the Charges to be made for Passengers and Articles herein-before and herein-after mentioned shall not extend to any Special Trains that may be required to be run on the Railway, but shall apply only to the Ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods on the Railway.

Restriction as to Charges not to apply to Special Trains.

XXXIII. It shall not be lawful for the Company to charge in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals herein-after mentioned, conveyed on the Railway, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power and all other Charges incidental to such Conveyance, (except a reasonable Charge for the Expenses of loading and unloading where such Ser-

Maximum Charges for Conveyance of Goods and Cattle.

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vice 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 all undressed Materials for the Repairs of public Roads and Highways, *per Ton per Mile* One Penny 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 Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils and other Articles of Merchandise, *per Ton per Mile* Twopence :

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 :

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 and conveyed on a Truck or Platform, *per Mile* Sixpence :

For every Horse, Mule or Ass conveyed in or upon any Carriage, *per Mile* Fourpence :

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any Carriage, *per Mile* Twopence :

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

Regulations
as to Tolls.

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

For a Fraction of a Mile the Company may, with respect to Goods and Animals, demand Tolls 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 with respect to Passengers, every Fraction of a Mile 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 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 Stone 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 greater or smaller Quantity.

XXXV. And

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XXXV. And 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 Weights.

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

If not exceeding Seven Pounds in Weight, Fourpence:

If exceeding Seven Pounds in Weight, but not exceeding Fourteen Pounds in Weight, Sixpence:

If exceeding Fourteen Pounds in Weight, but not exceeding Twenty-eight Pounds in Weight, One Shilling:

If exceeding Twenty-eight Pounds in Weight, but not exceeding Fifty-six Pounds in Weight, Two Shillings:

And for Parcels 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 Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Terms shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, 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 think fit.

XXXVI. 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, 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. Company may take increased Charges by Agreement.

XXXVII. 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. Passengers Luggage.

XXXVIII. The

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Power to enter into Traffic Arrangements with Dundalk and Enniskillen Railway Company.

XXXVIII. The Company and the *Dundalk and Enniskillen* 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 *Dundalk and Enniskillen* Railway Company 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 *Dundalk and Enniskillen* Railway Company of the whole or any Part of the Traffic upon the 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 Railway :

The Costs and Expense of such Working, Management, Maintenance and Repairs :

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

The Collection, taking, and levying of the Tolls, Rates, and Charges arising on the Railway :

The Division between the said Companies of the Receipts arising from the Traffic upon the Railway, or any Part thereof, 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.

Duration of Agreement, which shall be approved by the Board of Trade, but not to affect Persons not Parties thereto.

XXXIX. 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 increase 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 Terms and Conditions at least as favourable, and on Payment of Tolls, Rates, and Charges at least on as low a Scale, 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 a Majority of not less than Three Fifths of the Votes of the Shareholders of the several Companies Parties thereto, in Special Meeting assembled for that Purpose.

Joint Committee for carrying Agreement into effect.

XL. 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

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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 the said Agreement; and every such Joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them in the same Manner as the same might have been had and exercised by the said Companies respectively or their respective Directors.

XLI. At the Expiration of the said Agreement the said Companies, with the Consent in Special Meeting of the Shareholders of such Companies 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 any 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.

Agreement may be renewed, with Approval of the Board of Trade, but Notice shall be given of intended Agreements.

XLII. No such Agreement shall have any Operation or Effect unless and until the same shall have been submitted to and approved of by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the the Company specially convened for such Purpose.

Working Arrangements not to take effect unless approved by Shareholders.

XLIII. 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.

Meeting, how to be convened.

The Dundalk and Black Rock Railway Act, 1855.

During
Agreements
Line to be
deemed for
certain Pur-
poses Part of
Dundalk and
Enniskillen
Railway
Company's
Lines.

XLIV. Provided always, That when and so long as any such Agreement shall be in force, the Railway by this Act authorized and the Railways of the *Dundalk and Enniskillen* Railway Company shall, for the Purpose of calculating the Tolls payable by any other Company or Person, and for all Purposes connected with the Traffic thereon, be deemed One continuous Line of Railway, and when and so long as any such Agreement shall be in force, the Calculation and levying of the Tolls upon and in respect of the Railway by this Act authorized, and the Use of that Railway, and the Management, Regulation, and Transmission of the Traffic thereon, shall be subject to all the Clauses and Provisions applicable to those Subjects of the Acts relating to the *Dundalk and Enniskillen* Railway Company, and for the Time being in force.

Expenses of
Act.

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

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

XLVI. 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 future Session of Parliament, or from any future Revision and Alteration under the Authority of Parliament of the maximum Rate of Fares and Charges or of the Rates for small Parcels authorized by this Act.

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