



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. lxxxiv.

An Act for making Railways from *Athlone* to *Roscommon* and *Castlereagh*, to be called “The *Great Northern and Western (of Ireland) Railway* ;” and for other Purposes.

[27th July 1857.]

WHEREAS the making of Railways from *Athlone* to the Town of *Roscommon* and *Castlereagh* would be of great public Advantage: And whereas the Persons herein-after named, with others, are willing to carry such Undertaking into execution: And whereas it is expedient to provide with respect to the User as herein-after mentioned of the Station of the *Midland Great Western Railway of Ireland Company* at *Athlone*, and with respect to Agreements with that Company; but for the Purposes aforesaid the Authority of Parliament is necessary: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. “The Companies Clauses Consolidation Act, 1845,” “The Lands Clauses Consolidation Act, 1845,” so far as the same is consistent

[*Local.*]

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sistent 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 *Great Northern and Western (of Ireland)* Railway Act, 1857."

Interpreta-
tion 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 *Midland Great Western Railway of Ireland*.

Subscribers
incorporated.

IV. The Right Honourable *George Charles* Earl of *Lucan*, the Right Honourable *Arthur Algernon* Earl of *Essex*, the Right Honourable *Edward* Lord *Crofton*, *Saint George Caulfield*, 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 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 shall be incorporated by the Name of "The *Great Northern and Western (of Ireland)* Railway Company," and by that Name shall be a Body Corporate, with 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.

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 shall be Two hundred and forty 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.

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

Calls.

VII. Two Pounds *per* Share shall be the greatest Amount of any Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and

Six

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Six Pounds *per* Share shall be the greatest aggregate Amount of Calls to be made thereon in any One Year.

VIII. 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 Eighty thousand Pounds, but no Part of that Sum shall be borrowed until the whole of the said Capital of Two hundred and forty 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.

Power to borrow on Mortgage, and Application of the same.

IX. 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.

X. 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 or 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.

XI. The Company shall not, out of any Money by this Act nor 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.

XII. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament shall be as valid, and shall be construed as if this Act had been passed in the said last Session.

Subscription Contract to be valid.

XIII. The Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Shares or Stock in the Undertaking amounting in the aggregate nominal Value thereof to One thousand Pounds or upwards.

Number and Qualification of Directors.

XIV. *George*

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First Directors.

XIV. *George Lord Bingham*, the Honourable *Edward Henry Churchill Crofton*, and *Saint George Caulfield* shall be Three of the First Directors of the Company.

Election of Directors at First General Meeting.

XV. 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, 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.

XVI. 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 of "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 increase or reduce the Number of Directors.

XVII. The Company may from Time to Time increase or reduce the Number of Directors, provided that the Number of Directors after any such Increase or Reduction be not more than Nine nor less than Three.

Quorum.

XVIII. So long as there shall be Five Directors the Quorum of a Meeting of Directors shall be Three; or if the Number of Directors shall be reduced below Five, then the Quorum of a Meeting of Directors shall be Two.

Qualification of Auditors.

XIX. 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.

Periods for Balance and Inspection of Books.

XX. 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.

Power to make Railway as herein mentioned.

XXI. It shall be lawful for the Company to make and maintain the Railways herein-after mentioned, with all proper Works and Conveniences connected therewith; (that is to say,)

A Railway commencing by a Junction with the *Midland Railway* in the Parish of *Saint Peter* in the County of *Roscommon*, and terminating at or near the Town of *Roscommon* :

A Railway

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A Railway commencing by a Junction with the last-mentioned Railway at or near the Town of *Roscommon*, and terminating in the Townland of *Longford* near the Town of *Castlereagh*.

XXII. Whereas Plans and Sections of the before-mentioned Lines of Railway 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 thereof, have been deposited with the Clerks of the Peace for the Counties of *Westmeath* and *Roscommon*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Railways shall 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.

Railway to be made according to deposited Plans.

XXIII. Whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that Certificates of any Omissions, Mis-statement, or erroneous Description in certain Plans and Books of Reference therein referred to should be deposited with the Postmaster of the Post Towns in or nearest 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 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 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.

As to deposit of Plans with Clerks of Unions.

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Level Crossings.

XXIV. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company in the Construction of the said Railway to carry the same, with any Number of Lines of Rails not exceeding Four, across and on the Level of the several public Roads numbered on the Plans deposited as aforesaid; (that is to say,)

No. on Plan.	Townland.	Parish.	Description of Road.
72	Carowmurragh	Kiltoom	Public Carriage Road.
11a	Killenrevagh	Killinvoy	Ditto.
32	Galey	Ditto	Ditto.
4	Curry	Kilmeane	Ditto.
13	Cloonconra	Kilteevan	Ditto.
49	Newtown	Ditto	Ditto.
5	Cloonyquin	Fuerty	Ditto.
26	Bellacagher	Drumatemple	Ditto.
53	Cloonagrassan	Ditto	Ditto.
26	Frenchlawn	Ditto	Ditto.
65	Adragool	Kilkeevin	Ditto.

Station or Lodge to be erected at Points of Crossing.

XXV. For the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the Railway crosses the before-mentioned Roads on the Level, and the Company shall be subject to and 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 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.

Board of Trade may require Bridges in lieu of level Crossings.

XXVI. 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 hereafter to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry any or either of the said Roads either over or under the Railway by means of a Bridge or Arch in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board to be best adapted for removing or diminishing the Danger arising from such level Crossing; but where any such Road shall be so carried under or over the Railway, it shall not be necessary for the Company to erect or maintain any Station or Lodge at the

Point

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Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

XXVII. The Company may purchase Land by Agreement for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," but the Quantity of Land so to be purchased shall not exceed Ten Acres.

Lands for extraordinary Purposes.

XXVIII. 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.

Powers for compulsory Purchases limited.

XXIX. The Railways 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 said Railways shall cease.

Period for Completion of Railway.

XXX. And whereas it is necessary that the Fortifications and other public Property belonging to Her Majesty, and under the Charge of Her Majesty's Principal Secretary of State for the War Department, should be preserved from Injury or Obstruction: Be it therefore enacted, That nothing in this Act contained shall authorize the said Company to enter upon or possess or occupy any Buildings or Land belonging to Her Majesty, and under the Control or Management of the said Principal Secretary of State, without the Consent of the said Principal Secretary of State in Writing first had and obtained for that Purpose, which Consent such Principal Secretary of State is hereby authorized to give.

Company not to interfere with Crown Land without Consent of the Secretary of State for War.

XXXI. The Communication between the Railway hereby authorized and the *Midland* 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 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, the same shall be determined by an Engineer to be appointed by the Board of Trade.

Mode of effecting Communication with *Midland* Railway.

XXXII. The Expenses of the Communication hereby authorized with the *Midland* Railway, and of all the necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, and amending such Communication, and for repairing and maintaining such Rails and Points, shall be borne

Expenses of Communications to be borne by the Company.

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and paid by the Company, and such Communication, Openings, and Works shall be in the first instance made, and be 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 in such Manner and by such Ways and Means respectively as shall not injure the *Midland* Railway, or impede or interfere with the free, uninterrupted, and safe Passage along the same.

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

XXXIII. The *Midland* Company 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 that Company may deem necessary for the Prevention of Damage to or Detention of or Interference with Traffic at or near the Junction of the *Midland* 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 the *Midland* Company; and all the Costs and Expenses during each Half Year of erecting and maintaining and altering such Signal, Works, and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall at the Expiration of each Half Year be repaid by the Company to the *Midland* Company on Demand, and in default the Amount of such Costs and Expenses may be recovered from the Company by the *Midland* Company in any Court of competent Jurisdiction.

Saving Rights of *Midland* Company.

XXXIV. 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, Privileges, Powers, or Authorities of the *Midland* Company.

Tolls.

XXXV. 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.

First. In respect of the Tonnage of all Articles conveyed upon the Railway, or any Part, 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

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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 Three Halfpence; 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:

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 One Penny Halfpenny *per Mile* for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh.

XXXVI. 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,) 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:

For every Horse, Mule, Ass, or other Beast of Draught or Burden 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 Ox, Cow, Bull, or Neat Cattle 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:

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.

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Tolls for
propelling
Power.

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

Maximum
Charges for
Conveyance
of Passen-
gers.

XXXVIII. 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:

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*.

Restrictions
as to Charges
not to apply
to Special
Trains.

XXXIX. The Restrictions as to Charges to be made for Passengers, Articles, and Things herein-before and herein-after mentioned shall not extend to any Special Train that may be required to 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, Animals, and Goods upon the Railway.

Maximum
Charges for
Conveyance
of Goods and
Cattle.

XL. 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, 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 Repair of public Roads or Highways, *per Ton per Mile* Twopence:

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 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

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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* Sixpence ; and for every additional Quarter of a Ton above One Ton, One Penny Halfpenny :

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

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

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

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

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

For a Fraction of a Mile above Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandise for such Fraction in proportion to the Numbers 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 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 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.

XLII. 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 following ; (that is to say,) Tolls for small Parcels and single Articles of great Weight.

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

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

For

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

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

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

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 Term shall apply only to single Parcels in separate Packages :

For the Carriage of any One Boiler, Cylinder, Bob, or other 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 not exceed Eight Tons, the Company may demand such Sum as they think fit.

Company
may take
increased
Charges by
Agreement.

XLIII. 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.

XLIV. Every Passenger travelling upon the Railway make take with him his ordinary Luggage, not exceeding One hundred and forty 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 the
Athlone
Station of

XLV. The Company may from Time to Time, if and so long as the *Midland* Company shall work the Railway, use the *Athlone* Station of the *Midland* Company, and all Sidings, Watering Places, Offices, and other Works and Conveniences connected therewith, upon Payment of such Rents, Tolls, Rates, and Charges, and upon such Terms and Conditions,

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Conditions, as may from Time to Time be agreed on between the Company and the *Midland* Company; and in the event of the Railway not being worked by the *Midland* Company, then that Company shall afford every Facility in their Power for enabling the *North-western* Company to provide a separate Station for their own Traffic; and in the event of any Difference between the Two Companies in reference to such separate Station, the same shall be referred to the Board of Trade, whose Decision shall be final and binding on the Parties.

Midland
Company.

XLVI. It shall be lawful for the Company and the *Midland* Company from Time to Time to enter into and make such Contracts and Agreements as shall be deemed expedient by and between the said Companies for and with reference to the working of the Traffic upon the Railway by this Act authorized, or any Part thereof, with the Engines and Carriages of the *Midland* Company, and for the Interchange and forwarding of Traffic passing to or from the Railways of the Company, or either of them, from or to the Railways of the *Midland* Company, and also with reference to the Rates, Tolls, or Charges to be charged by or between the said Companies for or in respect of any Traffic, and the Division and Apportionment between the said Companies of such Rates, Tolls, and Charges, and such Contracts and Agreements from Time to Time to alter and vary as Occasion may require, and also for all or any of the Purposes aforesaid to make and execute all such Deeds, Contracts, Instruments, and Assurances as may be deemed requisite or expedient for giving to the Matters and Premises aforesaid full Effect.

Power to
enter into
Agreements
with Mid-
land Com-
pany.

XLVII. Provided always, That during the Continuance of any Contract for working the Traffic upon the Railway by this Act authorized with the Engines and Carriages of the *Midland* Company the Railway and the Railways of the *Midland* Company shall, for the Purpose of calculating the Tolls payable thereon, be deemed One continuous Line of Railway.

During Con-
tinuance of
Contract
Railways of
the Two
Companies
to be con-
sidered as
One Line.

XLVIII. Provided always, That any such Agreement as aforesaid 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, Parties thereto, 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

Duration of
Agreement;
same to be
approved by
Board of
Trade.

Agreements
not to affect
Persons not
Parties
thereto.

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no such Agreement had been entered into: Provided also, that the said Board shall not approve any such Agreement as aforesaid without being satisfied that the same has been duly assented to by Shareholders of the Company and of the *Midland* Company respectively in Special Meeting assembled for that Purpose, and holding at least Three Fifths of the paid up Capital of the Company represented at such Meeting personally or by Proxy, such Shareholders being qualified to vote thereat in right of such Capital.

Agreement may be renewed with the Approval of the Board of Trade.

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

Agreement inoperative unless approved by the Board of Trade.

XLIX. At the Expiration of any such Agreement as aforesaid the said Companies, Parties thereto, with such respective Consent as aforesaid 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 Two 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 situate; 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 by the Board of Trade: Provided always, that no such Contract or Agreement shall have any Operation or Effect unless and until the same shall have been submitted to and approved by Shareholders of the Company and of the *Midland* Company respectively in Special Meeting assembled for that Purpose, and holding at least Three Fifths of the paid up Capital of the Company represented at such Meeting personally or by Proxy, such Shareholders being qualified to vote thereat in right of such Capital; and every such Meeting shall be convened 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 which may be a Party to such Agreement may be situate.

Deposit Money not to be repaid until Line opened, or Half the Capital paid up and expended,

L. 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 Eighteen thousand 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: Therefore, notwithstanding anything contained

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contained in the said recited Act, the said Sum of Eighteen 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 hereinafter 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 Railways hereby authorized to be made, either open the said Railways 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 Railways 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 Eighteen 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 Solicitors to the Lords Commissioners of Her Majesty's Treasury) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Eighteen thousand Pounds if the Company shall not, within the Time limited for the Completion of the said Railways, either open the said Railways 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 Solicitors 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

except on
Execution of
Bond, &c.

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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 Solicitors 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 proved to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

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

LI. Nothing in this Act contained shall be deemed or construed to exempt the Railway from the Provisions 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 Rates of Fares and Charges authorized by this Act.

Expenses of Act.

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

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