ANNO PRIMO

VICTORIÆ REGINÆ.

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Cap. civ.

An Act for making and maintaining a Railway from the City of *Dublin* to the City of *Kilkenny*, to be called "The Great *Leinster* and *Munster* Railway." [12th *July* 1837.]

WHEREAS the making a Railway or Railways, with proper Works and Conveniences connected therewith, for the Carriage of Passengers, Goods, and Merchandize from the City of *Dublin* to the City of *Kilkenny*, would be of great public Advantage, by opening an additional cheap, certain, and expeditious Communication between the City of *Dublin* and the City and Neighbourhood of *Kilkenny* aforesaid, and by facilitating the Means of Transit and Traffic for Passengers, Goods, and Merchandize between those Places and the adjacent Districts and the several intermediate Towns and Places: And whereas the Queen's most Excellent Majesty in right of her Crown is entitled to certain Land known as the *Curragh* of *Kildare* upon the Line of the proposed Railway: And whereas the several Persons herein-after named, with others, are willing at their own Costs and Charges to carry into execution the said Undertaking; but the same 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

Proprietors incorporated.

the same, That *John Alexander* junior, *Robert Alexander*, *Robert Adamson*, *Henry Bainbridge*, *Thomas Barnewall*, *Hugh Barton*, *Hans Busk*, *John Warburton Bridge*, *John Jackson Blandy*, *Edward Thomas Bainbridge* M.P., *Richard Basnet*, *Richard Barnes Barnes*, *Charles Board*, *Butler*, *Francis Beetham*, *Robert F Cox*, Sir *Josiah Coghill Coghill* Baronet, *Robert Walter Carden*, *Michael Cahill*, *Charles Cooke*, *James Duncan*, *Jeremiah Dunne*, *Hugh Stafford Donnellan*, *Gregory Downes*, *John Doyle*, *John Dallas Edge*, *Walter Moore Fowler*, *James Ogilvy Fairlie*, *Thomas Farncomb*, *P V Gambier*, *George G Grenfell*, *Peter Gale*, *Thomas Gresham*, *Moses Asher Goldsmid*, *John Gething*, *Alfred Alers Hankey*, *William Henry Hardinge*, *Herbert Hardie*, *James Holt Heron*, *James Knight Heron*, *Thomas Heathcock*, *Cadman Hodgkinson*, *John Hall*, *Charles James*, *George Jeremy*, *Richard Jeffray*, *A V Kirwan*, *George La Touche*, *Charles Henry Latouche*, *William Leahy*, *George Johnstone Lennon*, *Walter Learmouth*, *Abel Labertouche*, *Edward Lacy*, *Albert Limond*, *John D Lewis*, *John Maher* M.P., *Thomas Mooney*, *Henry Mooney*, *William Mooney*, *Laurence Mooney*, *James M'Creery*, *Edward M'Donnel*, *Edward Meyer*, *Samuel Eustace Magan*, *Plasted Norris*, *Edward Hutchinson Orpen*, *John Herbert Orpen*, Major General *Charles Palmer* M.P., *Richard Preston Prichard*, *Richard Prichard*, *Henry Pinckard*, *Joseph Pinckard*, *Augustus Samuel Perkins*, *Henry Paterson*, *Thomas Powell*, Colonel *John Staunton Rochfort*, *Owen Ryan*, *John Peter Ryan*, *John Buckley Reyner*, *Archibald Robertson*, *Rowland Ronald*, *Edward Stewart*, *Benjamin Roberts Shaw*, *John Stewart*, *Richard Sullivan*, *Edward Smithwick*, *John Sim Smith*, *Samuel Smith*, *James Bogle Smith*, *Hugh Stafford*, *Henry Birchfield Swabey*, *F B Smith*, *James Scully*, *William May Simonds*, *W B Simpson*, *Charles William Stokes*, *Henry Stokes*, *Robert Sutton*, *Arthur William Thomas*, *Christopher Tuthill*, *Mary Ann Thomson* Widow, *Charles Towgood*, Lieutenant General *John Ormsby Vandeleur*, *Francis Wilson*, *Francis White* M.D., *James Watt*, *Patrick Robert Welch*, *Thomas Wilson*, *Thomas Francis Wilson*, *John Richard Wilson*, *George B Whittaker*, *Constantine Wright*, *Augustus Wright*, *Edmund Thomas Waters*, and *John Young*, and all other Persons and Corporations who have subscribed or shall hereafter subscribe to the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they hereby are united into a Company for making and maintaining the said Railway and other Works by this Act authorized, according to the Provisions and Restrictions herein-after mentioned, and for that Purpose shall be One Body Corporate by the Name and Style of "The Great *Leinster* and *Munster* Railway Company," and by that Name shall have perpetual Succession, and shall have a Common Seal, and by that Name shall and may sue and be sued, and also shall have full Power and Authority to purchase and hold Lands and other Hereditaments to them and their Successors and Assigns for the Use of the said Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and also to sell and dispose of the said Lands and Hereditaments again in manner by this Act directed.

Rules for the Interpretation of this Act.

II. And be it further enacted, That where in this Act any Word shall be used importing the Singular Number or Masculine Gender only, the same shall be understood to include several Matters as well as one Matter, several Persons as well as one Person, and Females as well as Males; and where the Word "Lands" shall be used, the same shall be understood to include Tenements and Hereditaments; and where the Word "Corporation" shall be used, the same shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Company empowered to make a Railway over the Lands delineated on the Plans deposited with the respective Clerks of the Peace for the Counties herein named.

III. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to make and maintain a Railway, with all proper Works and Conveniences connected therewith, in the Line or Course, and upon, across, under, or over the Lands delineated on the Plan and described in the Book of Reference deposited with the respective Clerks of the Peace for the Counties of *Dublin*, *Kildare*, *King's County*, *Queen's County*, *Carlow*, *Kilkenny*, and County of the City of *Kilkenny*; that is to say, commencing in a Field at *Kilmainham* in the Parish of *Saint James* in the Townland of *Inchicore* and in the County of *Dublin*, and terminating at the Lands called *Pennefather's Lot*, in the Parish of *Saint John's* and County of the City of *Kilkenny*, and which said Railway will pass into or through the several Parishes and Extra-parochial Places following; that is to say, the Parishes of *Saint James*, *Ballyfarmot*, *Palmerstown*, *Esker*, *Lucan*, and *Arderrig*, in the County of *Dublin*; the Parishes of *Celbridge* and *Donacumper* in the County of *Kildare*; the Parishes of *Newcastle* and *Saggard* in the said County of *Dublin*; the Parishes of *Kill*, *Donacumper*, *Castle Dillon*, *Whitechurch*, *Bodenstown*, *Naas*, *Caragh*, *Ladytown*, *Great Connell*, *Morristown Biller*, the *Curragh* of *Kildare* (Extra-parochial), and the Parishes of *Ballysax*, *Carne*, *Ballyshannon*, *Kilrush*, and *Fontstown*, in the County of *Kildare*; the Parish of *Fontstown* in the *King's County*; the Parishes of *Narraghmore*, *Kilberry*, *Timolin*, *Saint Michael's* and *Saint John's*, *Athy*, in the said County of *Kildare*; the Parishes of *Ballyadams*, *Tankardstown* and *Athy*, *Athy* and *Tankardstown*, *Tankardstown*, *Killabin*, *Killeshin*, and *Cloydagh*, in the *Queen's County*; the Parishes of *Cloydagh*, *Tullowereen*, and *Old Leighlin*, in the County of *Carlow*; and the Parishes of *Shankhill*, *Kilmacahill*, *Gowran*, *Blanchvilleskill* or *Blanchfieldtown*, *Clara*, *Blackrath*, and *Templemartin*, in the County of *Kilkenny*; the Parishes of *Templemartin* and *Blackrath* and *Saint John's* in the County of the City of *Kilkenny*, or some of them.

Plans and Books of Reference to remain in Custody of the Clerks of the Peace, and to be open to Inspection.

IV. And whereas Maps or Plans and Sections describing the Line of the said Railway, and the Lands upon or through which the said Railway and the Works connected therewith are intended to be carried or made, together with Books of Reference thereto containing Lists of the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of such Lands, have been deposited with the Clerks of the Peace for the said Counties of *Dublin*, *Kildare*, *King's County*, *Queen's County*, *Carlow*, *Kilkenny*, and County of the City of *Kilkenny*: And whereas such Plans and Sections have been

been approved of by Parliament as the Plans and Sections according to which the said Railway is to be made; be it therefore enacted, That the said Maps or Plans, Sections and Books of Reference, so deposited, shall remain with and be kept by the said Clerks of the Peace respectively; and all Persons interested in any Manner in such Lands shall have Liberty at all reasonable Times to inspect and make Extracts from or Copies of the same respectively, paying to the Clerk of the Peace in whose Custody the Map or Plan, Section, or Book of Reference so inspected or referred to may be, for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Books of Reference after the Rate of Sixpence for every One hundred Words; and the said Maps or Plans, Sections and Books of Reference, or true Copies thereof, or of so much thereof respectively as shall relate to any Matter which may be in question, verified by the Signature of the Clerk of the Peace in whose Custody the same may have been, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Unintentional Errors in Act or Plans, or in Books of Reference, not to prevent the Execution of the Act.

V. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Railway and other Works in the Line or Course and upon or through the Lands delineated on the said Maps or Plans, although such Lands or any of them, or the Situation thereof respectively, or the Names of the Owners, Lessees, or Occupiers, or reputed Owners, Lessees, or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act or in the Schedule hereto, or in the Books of Reference to the said Maps or Plans, if, in case of any Dispute, it shall appear to any Two or more Justices of the Peace within whose Jurisdiction such disputed Lands shall lie, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the respective Clerks of the Peace of the Counties and Places within which the Lands in respect of which any such Certificate shall be made shall be situate.

Company empowered to deviate from Plan to an Extent not exceeding 100 Yards.

VI. And be it further enacted, That the said Company, in making the said Railway and other Works by this Act authorized, shall have full Power and Authority to deviate from the Line delineated on the Maps or Plans so deposited with the Clerks of the Peace as herein-before mentioned: Provided always, that no such Deviation shall take place after the Expiration of Three Years from the passing of this Act, nor shall such Deviation extend to a greater Distance than One hundred Yards in any one Place from the Line so delineated upon the said Plans, nor in passing through any City or Town to a greater Distance than Ten Yards from the Line so delineated upon the said Plans, nor shall such Deviation extend into the Lands or Property of any Person whose Name is not mentioned in the said Books of Reference, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-before provided for in Cases of unintentional Errors in the said Book of Reference.

VII. And

Limiting Deviations from Datum Line described on the Section, &c.

VII. And be it further enacted, That in making the said Railway it shall not be lawful for the said Company to deviate from the Levels of the said Railway as referred to the common Datum Line described on the Section so approved of by Parliament, and as marked on the same, to any Extent exceeding in any Place Five Feet, or in passing through Towns Two Feet, without the Consent of the Owners, Lessees, and Occupiers of the Land in, through, or over which such Deviation is intended to be made; or in case any Street or public Carriage Road shall be affected by such Deviation, then the same shall not be made without the Consent of the Trustees or Commissioners, or if there shall be no such Trustees or Commissioners without the Consent of Two or more Justices of the Peace in Petty Sessions assembled for that Purpose, and acting for the District in which such Street or public Carriage Road may be situate, or without the Consent of the Commissioners for any public Sewers or of the Proprietors of any Canal or Navigation affected by such Deviation, and that no Increase in the Inclination or Gradients of the said Railway as denoted by the said Section shall be made in any Place to an Extent exceeding the Rate of Three Feet *per* Mile; and where in any Place it is intended to carry the Railway on an Arch or Arches as marked on the said Plan or Section the same shall be made accordingly, and where a Tunnel is marked on the said Plan or Section as intended to be made at any Place the same shall be made accordingly, unless the Owners, Lessees, and Occupiers of the Land in or through which such Tunnel is intended to be made shall consent that the same shall not be so made: Provided nevertheless, that it shall be lawful for the said Company, with such Consent as aforesaid, and not otherwise, to make a Tunnel or an Arch or Arches as aforesaid not marked on the said Plan or Section, so that no such Tunnel shall be of a greater Length than Two hundred Yards, and that no Two Tunnels be at a less Distance from each other than One hundred Yards, measured on the Line of the Railway: Provided always, that Notice of every Petty Sessions to be holden for the Purpose of obtaining such Consent as aforesaid shall, Fourteen Days previous to the holding such Petty Sessions, be given in some Newspaper circulating in the County, and also be affixed upon the Church Door of the Parish in which such Deviation or Alteration is intended to be made, or if there be no Church on some other Place to which Notices are usually affixed: Provided also, that for the Purpose of consenting to any such Deviation from the said Sections, and to any tunnelling or arching as aforesaid, the Word "Owners" shall be deemed and taken to mean such Persons as are herein capacitated to agree for the Sale of and to convey Land for the making of the said Railway; and the Consent of such Persons, with or without the Consent of any other Persons interested as Owners in the said Lands, shall be deemed and taken to be sufficient for such Purposes.

Not to diminish the Radius of any Curve beyond a certain Extent.

VIII. And be it further enacted, That it shall not be lawful to diminish the Radius of any Curve from what it is shown to be on the Plan deposited with the Clerk of the Peace unless such Radius exceed One Mile, nor to diminish it in any such Case so that it shall become less than One Mile, nor to diminish any greater Radius by more than a Quarter of a Mile unless where it exceeds Two Miles, or by more than

than Half a Mile unless where it exceeds Three Miles on the said Plan.

Houses and Gardens not to be used without Consent, unless specified in the Schedule.

IX. Provided also, and be it further enacted, That nothing herein contained shall authorize the said Company, or any Person acting under their Authority, to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built on or before the Thirtieth Day of *November* One thousand eight hundred and thirty-six, or any Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk or Avenue to a House, or any inclosed Ground then planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, (other than and except such as are specified in the Schedule to this Act annexed, or in the said Books of Reference,) without the Consent in Writing of the Owner and Occupier thereof respectively, unless the Omission thereof in such Schedule shall have proceeded from Mistake, and unless it shall be so certified in manner herein-before provided for in case of unintentional Errors in the said Books of Reference.

Restraining the Formation of the Railway beyond Sallins for One Year.

X. Provided always, and be it further enacted, That no Part of the said intended Railway, other than that Part thereof which extends from the City of *Dublin* to the Town of *Sallins* in the County of *Kildare*, shall be commenced by the said Company until the Expiration of Twelve Calendar Months to be computed from the passing of this Act, and that such Part of the said intended Railway as extends from the City of *Dublin* to the said Town of *Sallins* shall be made of such Width as shall be recommended by the Railway Commission for Trunk Lines in *Ireland*.

This Act not to impede other Undertakings.

XI. Provided nevertheless, and be it further enacted, That it shall not be competent to the said Company at any Time or Times hereafter to set up or allege in opposition to any other Line or Lines of Railway projected or to be projected in *Ireland* any of the Rights or Privileges of the said Company under this Act, or the Injury to be occasioned by such projected Line or Lines to the said intended Railway, or to demand Compensation for any such Injury; but that the projecting of any other Line or Lines of Railway in *Ireland*, and the obtaining of the Aid and Authority of Parliament to execute the same, shall be as open and unprejudiced as if this Act had not passed.

For ascertaining the Value of the Interests of certain Persons.

XII. And whereas the Right Honourable the Earl of *Donoughmore*, Major *John Wills*, and Major *Robert Wilcox* are Lessees and Occupiers of certain Lands through which the Line of the said Railway is designed to pass: And whereas on account of the Injury which may be done to the Property of the said Earl of *Donoughmore*, Major *John Wills*, and Major *Robert Wilcox* by the said Railway in disturbing the Privacy thereof, they claim to be entitled to special Compensation; be it therefore enacted, That in case the said Earl of *Donoughmore*, Major *John Wills*, and Major *Rabert Wilcox*, or any of them, shall not agree with the said Company as to the Amount of the Purchase Money and Compensation to be made to them respectively for the Land which may be required for the Purposes of the

said Railway, and the Injury which may be done to their remaining remaining Property, then the Amount of such Purchase Money and Compensation shall be ascertained and determined by the Valuation of Two indifferent Persons, one to be named by the said Company, and the other by the Party or Parties disagreeing with the said Company, or in case of Difference between such Valuers, then by an Umpire to be named by them previous to entering upon their Valuation.

Company to keep in repair the Conduit, &c. for supplying Water to the Lands and Demesne of the Earl of Donoughmore.

XIII. And whereas it may be that the Works of the Railway will interfere with the Supply of Water to the Lands and Demesne of the Earl of *Donoughmore* severed by the Railway; be it therefore enacted, That the said Company shall be bound and required at all Times hereafter at their own Expence to make and execute and keep in repair such Conduits, Syphon, or other Works for the Purpose of preserving to the Use of the said Earl of *Donoughmore* the Stream or Streams of Water from which his Estate is at present supplied, in such Manner as shall be required by the Arbitrators herein-before referred to or their Umpire, and in as ample and beneficial a Manner as such Supply of Water is at present enjoyed.

Not to deviate across the Land of the Earl of Donoughmore.

XIV. Provided always, and be it further enacted, That no Deviation from the Line of the said intended Railway, as marked upon the Plan deposited in the Parliament Office, shall be made across any Part of the Land now in the Occupation of the said Earl of *Donoughmore* without the Consent of the said Earl of *Donoughmore*.

For Protection of the Rights of Canal Companies.

XV. And be it further enacted, That nothing in this Act contained shall diminish, alter, prejudice, affect, or take away any of the Rights, Privileges, Powers, or Authorities vested in the Company of Proprietors of any Canal, Aqueduct, or Navigation, nor empower the said Railway Company to alter the Depth of the Level of any such Canal, Aqueduct, or Navigation, or the Towing Path belonging to the same, or to injure any of the Works thereof; and that every Bridge which it may be necessary to erect over any such Canal, Aqueduct, or Navigation, and the Towing Path or Paths thereof, shall have a clear and uniform Opening of not less than Twenty-four Feet for the Waterway and Eight Feet for the Towing Path under the same Bridge respectively; and the Height of the Soffit of the Arch or Viaduct of every such Bridge shall be at least Twelve Feet Six Inches above the Top-water Level of the Canal, Aqueduct, or Navigation over which the same may be erected, measured from any Place within Four Feet of the Centre of the Waterway, and no Part of the Arch over the Towing Path shall be less than Eight Feet above the said Top-water Level of the same, and the said Towing Path shall be One Foot above the said Level; and every such Bridge shall have proper Approaches, and the Navigation or Passage of Water shall not be impeded during the Construction of the said Railway Bridge, or at any future Time, any further or otherwise than shall be unavoidably necessary in constructing the said Bridge and making the necessary Repairs thereto, and in no Case so as to prevent the due and ordinary passing of Boats and Horses along the said Canal or Navigation, or the passing of Water by means of such Aqueduct; and the said Railway Company

pany shall at their own Expence at all Times maintain every such Railway Bridge, and Towing Path, Wall, and Works necessary for free and unobstructed Navigation and Passage, in good and perfect Order, Repair, and Condition, to the Satisfaction of the Directors for the Time being of the Company over whose Works or Property such Bridge or Bridges shall be erected: Provided always, that in case any such Bridge or the Brickwork of the Walls thereof, or the Approaches, Side Slopes, or Banks of the said Railway next the said Canal, Aqueduct, or Navigation, or any of them, or any Part thereof, shall not be kept in good and substantial Repair, it shall be lawful for the Company whose Works or Property shall not be properly maintained or repaired to do the needful Repairs, and to recover the Amount of all the Expences from the said Railway Company by Action of Debt or on the Case, with full Costs of Suit, in any of Her Majesty's Courts of Record in *Dublin*.

As to the Curragh of Kildare.

XVI. Provided always, and be it further enacted, That it shall and may be lawful to and for the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, Works and Buildings, on Her Majesty's Behalf, by and with the Consent and Approbation of the Treasury, as in like Cases provided by the Acts now in force in regard to the Management of the Land Revenues of the Crown in *Ireland*, to contract for, sell, and convey to the said Company such Portions of the said Lands called the *Curragh* of *Kildare* as shall be required for the Purposes of this Act for a nominal Consideration, or for such Sum of Money as they the said Commissioners shall in their Discretion think reasonable and proper; and also that the said Company do and shall make all such Bridges or other Communications over or under such Parts of the said Railway as shall cross the said *Curragh* of *Kildare*, with all necessary and proper Approaches thereto, and also shall erect such Fences to the said Bridges and Approaches as the said Commissioners for the Time being by any Warrant or Warrants under the Hands of any Two of them shall from Time to Time direct or require: Provided always, that the Number of Bridges or other Communications to be made as aforesaid shall not in any Case exceed Three, and that no other Persons except the said Commissioners shall have Power to order or direct any Bridges or Communications to be made over or under or otherwise to interfere with that Part of the said intended Railway which shall cross the said *Curragh* of *Kildare*.

Company may contract for the Works.

XVII. And be it further enacted, That it shall be lawful for the said Company or the Directors thereof, or for such Person or Persons as the said Company or the said Directors shall for that Purpose appoint, in the Name of the said Company or otherwise, to contract and agree with any Person or Persons for making the said Railway or any Part thereof, or any other of the Works hereby authorized to be made or done by the said Company, and that in such Manner, and for such Sums, and under such Regulations and Restrictions as the said Company or the said Directors thereof shall think proper; and all Contracts in Writing made as aforesaid for any of the Purposes aforesaid shall be binding on the said Company and all other Parties thereto, their respective Successors, Heirs, Executors, and Administrators; and

Actions

Actions and Suits may be maintained thereon, and Damages and Costs recovered by or against the said Company, or all or any of the other Parties thereto failing in the Execution and Performance thereof.

Power to take Lands.

XVIII. And be it further enacted, That for the Purposes and subject to the Provisions and Restrictions of this Act it shall be lawful for the said Company, their Agents and Workmen, and all other Persons by them authorized, and they are hereby empowered, to enter into and upon the Lands of any Person or Corporation whatsoever, and to survey and take Levels of the same or of any Part thereof, and to set out and appropriate for the Purposes of this Act such Parts thereof as they are by this Act empowered to take or use, and in or upon such Lands or any Lands adjoining thereto to bore, dig, cut, embank, and sough, and to remove or lay, and also to use, work, and manufacture, any Earth, Stone, Rubbish, Trees, Gravel, or Sand, or any other Materials or Things which may be dug or obtained therein or otherwise in the Execution of any of the Powers of this Act, and which may be proper or necessary for making, maintaining, altering, repairing, or using the said Railway and other Works by this Act authorized, or which may obstruct the making, maintaining, altering, repairing, or using the same respectively, according to the true Intent and Meaning of this Act; and also to make or construct, upon, across, under, or over the said Railway or other Works, or any Lands, Streets, Hills, Valleys, Roads, Railways, or Tramroads, Rivers, Canals, Brooks, Streams, or other Waters, such Inclined Planes, Tunnels, Embankments, Aqueducts, Bridges, Roads, Ways, Passages, Conduits, Drains, Piers, Arches, Cuttings, and Fences as the said Company shall think proper; and also to alter the Course of any of the Rivers, Canals, Brooks, Streams, or Watercourses during such Time as may be necessary for constructing Tunnels, Bridges, or Passages over or under the same; and also to divert or alter the Course of any Roads or Ways, or to raise or sink any Roads or Ways in order the more conveniently to carry the same over or under or by the Side of the said Railway, and to make Drains or Conduits into, through, or under any Lands adjoining the said Railway for the Purpose of conveying Water from or to the said Railway; and also in or upon the said Railway or any Lands adjoining or near thereto to erect and make such Toll and other Houses, Warehouses, Yards, Stations, Engines, and other Works and Conveniences connected with the said Railway as the said Company shall think proper; and also from Time to Time to alter, repair, or discontinue the before-mentioned Works or any of them, and to substitute others in their Stead, and generally to do and execute all other Matters and Things necessary or convenient for constructing, maintaining, altering, or repairing and using the said Railway and other Works by this Act authorized; they the said Company, their Agents and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and the said Company making full Satisfaction in manner herein-after mentioned to all Persons and Corporations interested in any Lands which shall be taken, used, or injured for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Company and all other Persons for what they or any of them shall do by virtue of the Powers hereby

granted, subject nevertheless to such Provisions and Restrictions as are herein-after mentioned and contained: Provided that no Toll or other House, Warehouse, Yard, Station, Engine, or other Works and Conveniences shall be erected or made upon any Part of the said *Curragh* of *Kildare* which may lie to the North of the Line of the intended Railway.

Breadth of Land to be taken for the Railway.

XIX. And be it further enacted, That the Lands to be taken or used for the Line of the said Railway shall not exceed Seventy Feet in Breadth, except in those Places where a greater Breadth shall be judged necessary for Waggons and other Carriages to turn and pass each other, or for raising Embankments for crossing Valleys or low Grounds, or in cutting through high Ground, or for the Erection or Establishment of any fixed or permanent Machinery, Toll House, Warehouses, Wharf, or other Erections and Buildings, and not in any Place exceeding One hundred Yards on each Side of the Line of Railway, except at or near the Termination of the said Railway at *Kilmainham* in the Parish of *Saint James* in the County of *Dublin* and at *Pennefather's Lot* in the Parish of *Saint John* in the County of the City of *Kilkenny* respectively, and also except on Commons, Downs, or Waste Lands, unless with the Consent in Writing of the Owners or Proprietors of any Lands which the said Company shall be desirous to appropriate, in order to obtain greater Space for the Purposes herein-before mentioned.

Where small Parcels of Land are intersected the Company compellable to purchase the whole.

XX. And be it further enacted, That if in the Execution of any of the Powers of this Act any Land shall be cut through and divided so that what shall be left thereof on both Sides or on either Side of the said Railway shall be less than Half a Statute Acre in Quantity, and if the Owner of any such Land shall not have any other Lands adjoining to that which shall be so left on either Side of the said Railway, then and in every such Case, if such Owner shall so require, but not otherwise, the said Company shall also purchase the Land so left on both or either of the Sides of the said Railway, being less than Half a Statute Acre in Quantity as aforesaid, the Value thereof to be ascertained in the same Manner as is directed concerning any Land to be taken or used for the Purposes of this Act; or in case such Owner as aforesaid shall have any other Land adjoining to that which shall be so left, he may require the said Company, at their own Expence, to throw the same into the adjoining Land of such Owner by removing the Fences and levelling the Sites thereof, and soiling the same in a sufficient and workmanlike Manner, and if Meadow or Pasture seeding down the same.

Providing for Injury to Roads.

XXI. Provided also, and be it further enacted, That in all Cases wherein in the Exercise of any of the Powers hereby granted any Part of any Carriage or Horse Road, Railway or Tramroad, either public or private, shall be found necessary to be cut through, raised, sunk, taken, or so much injured as to be impassable or inconvenient for Passengers or Carriages, or the Persons entitled to the Use thereof, the said Company shall at their own Expence, before any such Road shall be so cut through, raised, sunk, taken, or injured as aforesaid, cause another good and sufficient Road (as the Case may require) to

be set out and made instead thereof, as convenient for Passengers and Carriages as the said Road so to be cut through, raised, sunk, taken, or injured as aforesaid, or as near thereto as may be; and where the Road cut through, raised, sunk, or injured shall be a Turnpike Road, the substituted Road, if temporary, shall be set out and made, and the principal Road shall be restored, within Six Calendar Months after the Commencement of the Operation; and the Railway, where it shall cross such Turnpike Road, shall be constructed and be kept in repair in such Manner as to prevent, as far as may be practicable, any Inconvenience or Obstruction to the Passage along such Turnpike Road.

Railway not to cross Turnpike Road on a Level.

XXII. And be it further enacted, That where the said Railway shall cross any Turnpike Road or public Highway, either such Turnpike Road or public Highway shall be carried over the said Railway, or the said Railway shall be carried over the said Turnpike Road or public Highway, at the Expence of the said Company, by means of a Bridge, where not otherwise provided for by this Act, of such Construction as herein-after mentioned.

Regulations as to Bridges for carrying Railway over public Roads.

XXIII. Provided also, and be it further enacted, That where any Bridge shall be erected by the said Company for the Purpose of carrying the said Railway over or across any Turnpike Road or public Highway, the Span of the Arch of such Bridge shall be formed and shall at all Times be and be continued of such Width as to leave a clear and open Space under every such Arch of not less than Twenty Feet, and of a Height from the Surface of such Turnpike Road or public Highway to the Centre of such Arch of not less than Sixteen Feet, and the Descent of any Turnpike Road under any such Bridge shall not exceed One Foot in Thirty Feet, and of any other Carriage Road shall not exceed One Foot in Twenty Feet.

Inclination of public Carriage Roads when altered.

XXIV. And be it further enacted, That where any public Carriage Road shall be altered by means of the said Railway, the Inclination of the Road so altered, if Turnpike, shall not be less than One Foot in Thirty Feet, and if Highway, not less than One Foot in Twenty Feet.

Regulating Ascent to Bridges for carrying public Roads over Railway.

XXV. Provided always, and be it further enacted, That where any Bridge shall be erected for carrying any Turnpike Road or public Carriage Road over the said Railway the Ascent of every such Bridge for the Purpose of such Turnpike Road shall not be more than One Foot in Thirty Feet, and in the Case of a public Carriage Road not more than One Foot in Twenty Feet, and with respect to any private Carriage Road One Foot in Fourteen Feet; and a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

Company to make and maintain Bridges, Gates, &c.

XXVI. And be it further enacted, That the said Company shall at their own Expence, after any Part of the said Railway shall be laid out and formed, forthwith make and set up, and from Time to Time maintain, such and so many convenient Gates in or upon or adjoining the said Railway, and such Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages over, under, or by the Side of

or

or leading to or from the said Railway, excepting as to the *Curragh* of *Kildare* herein-before otherwise provided for, of such Dimensions and in such Manner as Two or more Justices of the Peace within whose Jurisdiction such Gates, Bridges, and other Conveniences may be required shall from Time to Time judge necessary and appoint (in case there shall be any Dispute about the same), for the Use of the Owners and Occupiers of the Lands through which the said Railway shall be made, and for the commodious Use and Occupation of the Lands on either Side of the said Railway, or for protecting the said Lands from Trespass, or the Cattle or other Property of the Owners or Occupiers thereof from straying or escaping thereout by reason of such Railway, or any other Matter or Thing to be done in pursuance of this Act; and all such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages so to be made as aforesaid shall from Time to Time and at all Times hereafter be maintained in sufficient Repair and Condition by the said Company; and for the Purpose of enabling the said Company to make or set up such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages, and from Time to Time to maintain the same, the said Company, their Agents, Surveyors, and Workmen, are hereby authorized and empowered to enter into and upon all Lands adjoining the said Railway, and to load and carry the Materials for making or repairing such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages in Carts and other Carriages across or along such Lands in such Manner as to do as little Damage as may be to the same; and in case the said Company shall refuse or neglect to make or set up or to maintain such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as herein-before directed, or any of them, for the Space of Twenty-one Days next after the Time to be appointed for those Purposes respectively by such Justices, it shall be lawful for the respective Owners or Occupiers of the said Lands who shall find themselves aggrieved by such Neglect or Refusal to make and set up, or, as the Case may require, to maintain and repair, such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as the said Justices shall have before directed or appointed to be made and set up as aforesaid, so that in making or repairing and maintaining such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as aforesaid, the said Railway or any of the Works by this Act authorized to be made or constructed by the said Company shall not be obstructed for any longer Space of Time, or be injured in any other Manner, than shall be unavoidably necessary for the doing thereof; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Justices, shall be repaid to the respective Owners or Occupiers of the said Lands who shall have so made and set up, repaired or maintained, such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as aforesaid, by the said Company, within the Space of Twenty-one Days next after the same shall have been so settled and allowed, and of which an Account and Demand in Writing shall have been delivered to and made from the said Company; and in default of Payment of the said Costs and Charges within the Time aforesaid the said Justices are hereby required by Warrant under their Hands and Seals to levy the said

Costs

Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company, for the Use of the Party to whom such Costs and Charges shall have been allowed, rendering the said Company the Overplus (if any), after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; and the said Owners and Occupiers, upon Refusal or Neglect by the said Company to pay the Costs and Charges aforesaid, shall and may also have such and the like Remedy against them for the Recovery thereof by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is by this Act directed: Provided always, that no such Bridge or Arch shall be required to be erected or made, or shall be erected or made, over or under the said Railway or any Part thereof, at or in any Place or Manner at or in which the same would if so made prevent or obstruct the working or using of the said Railway.

When Gates are deemed insufficient, the Owners of Lands adjoining may make others.

XXVII. Provided always, and be it further enacted, That if any of the Owners or Occupiers of any Lands through which the said Railway shall be made shall at any Time apprehend that any of the Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, or Passages which the said Justices shall have so directed or appointed to be made by the said Company are insufficient either in Number or Situation for the commodious Use or Occupation of the respective Lands through which the said Railway shall pass, it shall be lawful for any such Owner or Occupier, with the Consent of the said Company upon Request made to them, or in case of their Refusal for the Space of Thirty Days next after such Request, then with the Consent of the said Justices, to make and erect, at the Costs and Charges of such Owners and Occupiers, any other Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, or Passages of the same or like Construction or Form with those made and erected by the said Company in, upon, along, or near to the said Railway, in such Places as shall be found and adjudged most convenient for the better Use, Cultivation, Improvement, or Occupation of such Lands; and the said Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, or Passages shall thenceforth be repaired and maintained by and at the Costs and Charges of the respective Owners or Occupiers for the Time being of the Lands in respect of which the same shall have been erected, so that the Passage through or along the said Railway be not prevented or obstructed thereby for any longer Space of Time or in any other Manner than the same would necessarily have been if such Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, and Passages had been made or erected by the said Company.

For fencing off Railway through private Lands.

XXVIII. And be it further enacted, That the said Company shall and they are hereby required at their own Expence, after any Land shall have been taken for the Use of the said Railway and other Works, to separate the same and to keep the same constantly separated from the Lands adjoining to such Railway and other Works with good and sufficient Posts, Rails, Hedges, Ditches, Mounds, or other Fences, in case the Owners of the Lands adjoining to such Railway and other Works or any of them respectively shall at any Time desire the same to be fenced off, or in case the said Company shall think proper to fence off the same instead of erecting Gates

across the same as aforesaid, and shall make and maintain all necessary Gates and Stiles in all such Fences to be made as aforesaid (all such Gates being made to open towards such Lands, and not towards the said Railway); and in every such Case the Powers, Provisions, Directions, and Regulations herein-before contained with respect to the Gates and other Works aforesaid shall extend and apply to the making and maintaining of such Fences, and the Gates and Stiles in such Fences, as fully and effectually to all Intents and Purposes as if such Powers, Provisions, Directions, and Regulations were here repeated and enacted with respect to such Fences, Gates, and Stiles.

Company to make sufficient Drains, &c. to carry Water off adjoining Lands.

XXIX. And be it further enacted, That the said Company shall and they are hereby required from Time to Time, at their own Expence, to make such Arches, Tunnels, Culverts, Drains, or other Passages over, under, or by the Side of the said Railway and the Fences on the Side thereof respectively, of such Breadth, Depth, and Dimensions as shall be sufficient at all Times to convey the Water as clearly from the Lands adjoining or lying near to the said Railway as before making the said Railway, without obstructing or impounding the same Water to the Prejudice of any of the said Lands, and also to make proper Watering Places for Cattle in all Cases where by means of the said Railway the Cattle of any Person occupying Lands adjacent thereto shall be deprived of easy and convenient Access to their ancient Watering Place, and to supply the same at all Times with Water from such Rivers, Brooks, Streams, or Springs of Water as would have supplied the Cattle of such Person if the said Railway had not been made, or from any other Source or Feeder which can readily be obtained for that Purpose; and it shall be lawful for the said Company and they are hereby required from Time to Time to make such and so many Watercourses and Drains by the Side of and along or under the said Railway, or in, through, over, and across any Lands thereto adjoining, of such Dimensions and in such Manner, and with such proper and convenient Bridges over and Tunnels for the same respectively, as any Two or more Justices of the Peace within whose Jurisdiction such Watercourses and Drains shall be required shall from Time to Time judge necessary and appoint, in case there shall be any Dispute about the same, for the Purpose of conveying Water from such Rivers, Brooks, or Springs, or other Sources or Feeders, to the said Watering Places respectively; and all such Arches, Tunnels, Culverts, Watercourses, Drains, and other Passages shall from Time to Time be supported, maintained, cleansed, and kept in good and sufficient Repair by the said Company; and if at any Time after Twenty-one Days Notice in Writing shall have been given by or on behalf of any Owner or Occupier of Land adjoining or lying near to the said Railway to the said Company that the said Arches, Tunnels, Culverts, Drains, Watercourses, or other Passages, or any of them, are not made, or being made are not cleansed, maintained, and repaired according to the true Intent and Meaning of this Act, the said Company shall not proceed to make or cleanse, maintain and repair, as the Case may be, such Arches, Tunnels, Culverts, Drains, Watercourses, or other Passages, it shall be lawful for any Person to apply for an Order in Writing to any Two or more Justices of the Peace within whose Jurisdiction the Case shall arise from Time to Time as often as there

shall be Occasion, and the said Justices are hereby empowered at their Discretion to make and grant such Orders as aforesaid, enabling such Persons to make or cleanse and repair such Arches, Tunnels, Culverts, Watercourses, Drains, and other Passages accordingly; and the reasonable Expences thereof, to be ascertained by such Justices, shall be defrayed by the said Company; and in case of Neglect or Refusal to satisfy and defray such Expence for the Space of Twenty-one Days after Demand thereof made upon the said Company, such Expences may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, in the same Manner as any other Costs and Charges may by virtue of this Act be levied and recovered upon or from the said Company.

Owners of Land may make Branches to communicate with the Railway.

XXX. And be it further enacted, That it shall be lawful for the Owners and Occupiers of the respective Lands adjoining or lying near to the said Railway, and for all other Persons, to lay down, either upon their own Land or upon the Lands of any other Person, with the Consent of such other Person, any collateral Branches from their respective Lands to communicate with the said Railway; and the said Company shall be bound to make, at the Expence of such Owners and Occupiers and other Persons as aforesaid, Openings in the Ledges or Flanches of the said Railway for effecting such Communication in such Places as may be most convenient for that Purpose, and as may the least interfere with the Passage of the said Railway; and the said Company shall not receive any Rate or Toll or Sum for the passing of any Goods or other Things along such Branches so to be made by any such Owner or Occupier or Person as aforesaid: Provided also, that the said Company shall not be bound to make any such Openings in the Ledges or Flanches of the said Railway for the Purpose of effecting such Communication in any Places where they shall have erected or set up any Building, Steam Engine, Works, Machinery, or Yard, or in any Places which they shall have appropriated or set apart for any specific Purpose with which such Communication would interfere, nor upon any Inclined Plane, nor in any Tunnel; and in case any Difference or Disagreement shall arise between any such Owners and Occupiers or other Persons and the said Company, as to the proper Places for making any such Openings in the Ledges or Flanches of the said Railway for the Purpose of such Communication, then the same shall be left to the Decision of any Two Justices of the Peace within whose Jurisdiction such Opening shall be required, whose Determination shall be binding, and such Justices are hereby authorized and required to take cognizance of all such References, and to act therein accordingly.

Owners may make Communication across the Railway.

XXXI. Provided always, and be it further enacted, That nothing herein contained shall extend to prevent any Owner of any Lands lying adjoining or near to the said Railway from making any Railway, Tramroad, Common Road, or Watercourse to, from, across, or under the said Railway hereby authorized to be made, and to use such first-mentioned Railway, Tramroad, Common Road, or Watercouse for the Benefit of himself and of all other Persons to whom he may from Time to Time give Leave, so that such Railway, Tramroad, Common Road, or Watercourse do no Injury to and do not prevent the free Passage

Passage upon the said Railway hereby authorized to be made by the said Company for any greater Length of Time than shall be absolutely necessary for executing the necessary Works, which shall be done under the Superintendence and to the Satisfaction of the said Company's Engineer: Provided nevertheless, that in case any Damage or Obstruction shall be thereby done or occur to or in such Railway or Works, the same shall be forthwith repaired or removed (as the Case may be) by and at the Expence of the respective Owners of the Land for whose Benefit any such Railway, Road, or Watercourse may be made; and if the same shall not be forthwith done it shall be lawful for the said Company to repair such Damage or to remove such Obstruction, and to recover the Expences attending the same, in case of Refusal or Neglect to pay the same within Fourteen Days next after Demand thereof, by Distress and Sale of the Goods and Chattels of such respective Owners, or by Action of Debt or on the Case in any of Her Majesty's Courts of Record in *Dublin*.

Gates opening upon the Railway to be shut and fastened after Persons have passed through.

XXXII. And be it further enacted, That all Persons opening any Gate set up across the said Railway, or any Gate set up at either Side of the said Railway to communicate with adjoining Lands, shall and they are hereby respectively required, as soon as they, and the Carriages, Cattle, or other Animals or Things under their Care, or which they may accompany, shall have passed through the same, to shut and fasten the said Gate; and every Person neglecting so to do shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Company may purchase additional Lands not exceeding Fifty Acres.

XXXIII. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to contract with any Person or Corporation who shall be willing to sell the same for the Purchase of any Lands (not exceeding in the whole Fifty Statute Acres, in addition to the Lands herein-before authorized to be taken and used,) in such Places as shall be deemed eligible, for the Purpose of making and providing Coal or other Yards, Staiths, Wharfs, Warehouses, and other Buildings and Conveniences, for the Purpose of receiving, depositing, or keeping any Goods, Merchandize, or other Things conveyed or intended to be conveyed upon the said Railway, or for making convenient Roads or Ways thereto, or for any other Purpose whatsoever connected with the Undertaking by this Act authorized which the said Company shall judge requisite; and it shall be lawful for all Corporations and all other Persons whomsoever (including especially such or the like Corporations and Persons as are herein-before capacitated to sell and convey other Lands for the Purposes of this Act) to sell and grant or convey to the said Company and their Successors any Lands whatsoever for the Purposes mentioned in this Act, in the same Manner as is herein-before directed concerning Lands to be taken or used for the Purpose of making and maintaining the said Railway.

Company may sell the same, and purchase others not

XXXIV. And be it further enacted, That it shall be lawful for the said Company from Time to Time to sell and dispose of such additional Lands as they are by this Act herein-before empowered to purchase and shall have actually purchased for the Purposes of this Act,

Act, or such Parts thereof as the said Company shall think proper, and either together or in Parcels, by public Auction or by private Contract, as shall be thought expedient, and again from Time to Time to contract for the Purchase of any other Lands which the said Company shall deem more eligible for the Purposes aforesaid, and afterwards to sell and dispose of the same as aforesaid, so that the total Number or Quantity of Acres to be purchased and held by the said Company for any of the Purposes herein-before mentioned shall not exceed at any one Time the Quantity or Number of Acres for these Purposes expressly specified or allowed: Provided that no Part of the said *Curragh* of *Kildare* shall be sold by the said Company unless with the Consent of the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues first obtained in Writing for that Purpose.

exceeding the said Quantity.

XXXV. And whereas the said Company are enabled to purchase Fifty Statute Acres of Land by virtue of this Act for the Purpose of providing Coal or other Yards, Staiths, Wharfs, Warehouses, and other Buildings and Conveniences, in addition to the Lands authorized to be used and taken for making the said Railway, and all Corporations and all Persons whomsoever are empowered to sell such Quantity or Number of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from Corporations or from Persons under legal Disability or Incapacity, and again purchasing other Lands from the same Corporations or other Persons as aforesaid in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company to purchase from any Corporation, Trustee, or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of Infants, Lunatics, Idiots, Femes Coverts, Cestuique Trust, or from any Tenant for Life or in Tail, or Person to whom or for whose Benefit Lands are limited in strict Settlement, or other Persons being under legal Disability or Incapacity, more than such Fifty Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Fifty Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or from the same Corporation or Person under legal Disability or Incapacity, nor for the same Corporation or Person being under legal Disability or Incapacity to sell to the said Company, any other Land in lieu or stead of such Fifty Statute Acres or any Part thereof so sold or disposed of by the said Company.

Restraining the Company from purchasing more than Fifty Acres of Land from incapacitated Persons.

XXXVI. And be it further enacted, That after any Lands intended to be taken or used for the Purposes of this Act shall have been set out and ascertained it shall be lawful for all Corporations, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes

Persons under legal Disability empowered to sell and convey Lands.

Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest in, and for all other Persons whatsoever seised or possessed of or interested in any such Lands, to contract for, sell, and convey the same or any Part thereof unto the said Company; and all such Contracts, Sales, and Conveyances shall be made at the Expence of the said Company, and shall be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; namely,

Form of Conveyance to the Company.

'I of in consideration of the Sum of to me [*or, as the Case may be*, into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery, *ex parte* the Great *Leinster* and *Munster* Railway Company, *or* to *A.B.* of and *C.D.* of Two Trustees appointed to receive the same,] pursuant to the Act after mentioned, paid by the Great *Leinster* and *Munster* Railway [*or* the said] Company, established and incorporated by an Act of Parliament passed in the Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*], do hereby convey to the said Company, their Successors and Assigns, all [*describing the Premises to be conveyed*], together with all Ways, Rights, and Appurtenances thereunto belonging, and all such Estate, Right, Title, and Interest in and to the same and every Part thereof as I am or shall become seised or possessed of, or am by the said Act capacitated or empowered to convey, to hold the said Premises to the said Company, their Successors and Assigns for ever, according to the true Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal the Day of in the Year of our Lord .'

And all such Conveyances as aforesaid shall be valid and effectual in the Law to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Estates, Interest or Interests, so thereby conveyed or aliened, and to bar and destroy all Estates Tail and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the same.

Conveyance of Lands by Lords of Manors.

XXXVII. And be it further enacted, That in all Cases wherein, in the Execution of the Powers of this Act, there shall be Occasion to cut through, take, or use any Common or Waste Land or any other Lands which shall be charged with or subject or liable to the Exercise of any Right or Privilege of Common thereupon, whether of Pasture, Turbary, Estover, Piscary, or Easement, and whether such Common or Commonable Rights be appendant, appurtenant, or in gross, and whether the same be created or be then subsisting by Grant, Prescription, Custom, or otherwise howsoever, the Conveyance of such Common or Waste Land or other Lands as aforesaid by any Corporation or Person having such Estate or Interest in the Manor wherein such Common or Waste Lands shall be situate, (or if the same shall not be the Waste of any Manor, then having such Estate or Interest in the

Soil of the said Lands as the Corporations and Persons who are by this Act enabled to sell other Lands have in such Lands, and which Conveyance may be of the like Form as by this Act is directed to be used in the Case of Conveyances of other Lands,) shall be a good and sufficient Conveyance to the said Company for the Purpose of vesting in them the Fee Simple and Inheritance of such Common or Waste Land or other Lands, as fully and effectually as if every Person having Right of Common upon such Common or Waste Land or other Lands were seised thereof in Fee Simple in Possession, and had joined in and executed such Conveyance; and the Compensation to be paid for the Extinguishment of any Right of Common upon any such Common or Waste Land as aforesaid shall be paid by the said Company to the Churchwardens for the Time being of the Parish wherein such Common or Waste Land shall be situate, and shall be by such Churchwardens received and applied for such general or public Purposes within the said Parish as a Vestry thereof to be convened by such Churchwardens for that Purpose shall direct; and in all Cases where any such Commonable or other Right shall extend over and be exercised or enjoyed out of or upon any other Lands than such Common or Waste Land, the Compensation for the Relinquishment thereof shall be paid to the Party or Parties having such Estate or Interest as aforesaid in the said Commonable or other Rights, or in any Lands whereunto the same shall be appendant or appurtenant, or otherwise (as the Case may require) deposited in the Bank of *Ireland* in manner by this Act directed: Provided that in all Cases where any such Manor is vested in Freeholders or Inhabitants at large, or in any greater Number of Persons than Four, or where it is not known to what Lord such Manor belongs, or in what Manor such Common or Waste Lands are situate, the Conveyance by Four at least of the Freeholders whose Lands (whether absolute in them, or such as would capacitate them to convey such Lands if wanted for the Purposes of such Act,) entitle them to Common Right in or over such Common or Waste Lands, shall also in like Manner be a good and sufficient Conveyance to the said Company for the Purpose of vesting in them the Fee Simple and Inheritance of such Common or Waste Lands.

Proviso where there are more than Four Commoners.

XXXVIII. And be it further enacted, That where any Lands intended to be purchased by the said Company shall be subject, solely or jointly with other Lands not intended to be purchased, to or with any Rent-service, Rent-charge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the said Company to contract and agree for the Release of the Lands so purchased from such Rent, Payment, or Incumbrance, and also (where necessary) for an Apportionment of such Rent, Payment, or Incumbrance, for such Sum as shall be agreed upon between the said Company and the Party who under the Provisions of this Act shall agree to sell or apportion the same, and which Agreement may be entered into by all Corporations and other Persons by this Act authorized and empowered to sell or convey Lands; and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Lands is by this Act directed to be settled in case of Dispute as to the Value thereof;

Power to purchase the Release of Lands wanted from Rents charged thereon.

thereof; which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Lands intended to be purchased, and shall also (where necessary) apportion the Rent, Payment, or Incumbrance affecting the Lands jointly subject to Rent, Payment, or Incumbrance, as herein-before mentioned, according to the respective Values of the Lands intended to be purchased and of the Lands not intended to be purchased by the said Company; and all Contracts, Conveyances, and Assurances which shall be made by and between the said Company and any such Party as aforesaid respecting such Release (and which may be of the like Form respectively as by this Act are directed to be used in the Case of Conveyances of Lands) shall be valid and effectual in the Law, and shall extinguish the Whole or a proportionate Part of such Rent, Payment, or Incumbrance, as the Case may be: Provided always, that when any of the Lands purchased by the said Company shall be released from any Rent, Payment, or Incumbrance affecting the same jointly with other Lands not purchased by the said Company, such last-mentioned Lands shall be charged only with the Remainder of such Rent, Payment, or Incumbrance, and such Apportionment shall not prejudice the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only: Provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released it shall be lawful for the said Company, on Tender for that Purpose of any Deed or Instrument creating or transferring such Rent, Payment, or Incumbrance, to affix their Common Seal to a Memorandum indorsed on such Deed or Instrument, declaring what Part of the Lands originally subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall have been released, and also declaring the Amount of the Rent, Payment, or Incumbrance which shall continue payable; and such Memorandum shall be Evidence in all Courts of the Facts therein stated, and shall not exclude any other Evidence of the same Fact.

Mortgages to be conveyed to the Company after Tender of Principal and Interest.

XXXIX. And be it further enacted, That all Persons or Corporations having any Mortgage on any Lands to be taken for the Purposes of this Act, and whether entitled thereto in their own Right or in Trust for any other Person, and whether in Possession thereof by virtue of such Mortgage or not, shall, on Tender of the Principal Money and Interest due thereon, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money by the said Company, immediately assign and transfer such mortgaged Premises to the said Company or to such Persons as they shall appoint, and which Assignment may be of the like Form as the Conveyances by this Act directed to be used in case of Conveyances of Lands, or as near thereto as Circumstances will permit; and in case such Mortgagee shall have Notice in Writing from the said Company that they will pay off the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months (to be computed from the Day of giving such Notice), then at the End of such Six Calendar Months, on the Payment of the Principal Money and Interest so due, together with

with any just Costs then due, such Mortgagee shall assign and transfer his Interest in the said mortgaged Premises to the said Company, or as they shall direct; and in case any such Mortgagee shall refuse to assign and transfer as aforesaid on such Tender or Payment, then all Interest on every such Mortgage Debt shall from thenceforth cease and determine: Provided always, that in case the Sum due on any such Mortgage shall amount to more than the real Value of the Premises to be taken for the Purposes of this Act, or otherwise of the Estate or Interest then mortgaged, the said Company shall not be liable to pay to such Mortgagee more than the real Value of such Premises or Estate or Interest so mortgaged, or than the Residue thereof after such Allowance and Payment thereout as by this Act directed, to any Lessee or Tenant occupying or holding the Estate or Interest so in Mortgage: Provided also, that in case any such Mortgagee shall neglect or refuse to assign or transfer as aforesaid, then upon Payment of the Principal Money and Interest, and the Costs (if any) due on any such Mortgage as aforesaid, into the Bank of *Ireland*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, or in lieu of such Notice, and in addition to the said other Monies, Six Calendar Months Interest in advance for the Use of the said Mortgagee, the Cashier of the said Bank shall give a Receipt for the said Money, in like Manner as is by this Act directed in case of other Payments into the said Bank, and thereupon all the Estates, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in Trust for him or her, shall vest in the said Company, and the said Company shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage to all Intents and Purposes whatsoever: Provided also, that if such Mortgage shall comprise any other Lands than those which shall be so taken by the said Company, such Mortgagee shall, upon Payment or Tender of the Sum which shall have been ascertained in the Manner by this Act directed to be the Value of the said Lands as aforesaid, forthwith assign and transfer his Interest in such Lands to the said Company; and in default of such Assignment or Transfer, then on Payment of such Sum into the Bank of *Ireland* for the Use of such Mortgagee, the Cashier of the said Bank shall give such Receipt as herein-before mentioned, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in Trust for him, in the said Lands, the Value whereof, or of the Estate or Interest therein mortgaged, shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Company, and they shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever, and such Sums of Money shall be deducted from the Amount of the Money due to such Mortgagee by virtue of such Mortgage.

Directing in what Manner Disputes between the Company and certain Mortgagees shall be settled.

XL. And be it further enacted, That in all Cases in which any Lands subject to any Mortgage shall be required for the Purposes of this Act, which Lands shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of any Lands subject to any Mortgage shall be required for the Purposes of this Act, and the Mortgagee thereof shall not consider the remaining

remaining Part of such Lands to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due or to become due thereon, and all Costs, the Value of such Lands or (as the Case may be) of such Part of the said Lands as shall be required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done, shall be settled and agreed upon between such Mortgagee and the Person entitled to the Equity of Redemption of such Lands on the one Part and the said Company on the other Part; and in case of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee in satisfaction of his Claim, so far as the same will extend, and such Mortgagee shall thereupon assign and transfer all his Interest in such mortgaged Lands; or in case of his neglecting or refusing so to do, then the Amount of such Value or Compensation shall be paid into the Bank of *Ireland* to the Credit of such Mortgagee, as by this Act is provided in Cases of a like Nature; and such Payment to the Mortgagee or into the Bank as last aforesaid shall be and be accepted in satisfaction of the Claim of such Mortgagee, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the said mortgaged Premises as shall be so taken from all Principal and Interest and other Money due or secured thereon: Provided nevertheless, that, notwithstanding any thing herein-before contained, all such Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money or the Residue thereof (as the Case may be), or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands not required for the Purposes aforesaid, as they would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage.

In case the Parties refuse or are incapable to treat, the Value to be settled by a Jury.

XLI. And for settling all Differences which may arise between the said Company and the several Owners of or Persons interested in any Lands which shall or may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted, be it further enacted, That if any Corporation or other Person so interested or entitled and capacitated to sell or agree as aforesaid shall not agree with the said Company as to the Amount of such Purchase Money or Satisfaction or other Compensation as aforesaid; or if any such Party shall refuse to accept such Purchase Money or Satisfaction or other Compensation as aforesaid as shall be offered by the said Company, and shall give Notice thereof in Writing to the said Company within Twenty-one Days next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury; or if any such Party as aforesaid shall for the Space of Twenty-one Days next after Notice in Writing shall have been given to the Clerk, Agent, or principal Officer of any such Corporation, or to any of such Trustees or Persons respectively, or left at his last usual Place of

Abode, or with the Tenant or Occupier of any Lands required for the Purposes of this Act, neglect or refuse to treat or shall not agree with the said Company for the Sale and Conveyance of their respective Estates and Interests, or the respective Estates or Interests which they, he, or she are or is capacitated to convey therein, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability not provided for by this Act be incapable of making such Agreement as shall be expedient for enabling the said Company to proceed in making the said Railway and other the Works aforesaid, or shall not disclose and prove the State of the Title to the Premises of which they respectively may be in Possession and claim to be entitled unto or interested in, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of this Act cannot be made, then and in every such Case the said Company shall and they are hereby required from Time to Time to issue a Warrant under their Common Seal to the Sheriff of the County in which the Lands in question shall be situate, or the Matter in dispute shall arise, or in case such Sheriff or his Under Sheriff shall be one of the said Company, or enjoy any Office of Trust or Profit under them, or shall be in anyways interested in the Matter in question, then to any of the Coroners of such County not interested as aforesaid, or if all the Coroners shall be so interested, then to some Person or Persons then living in the said County, and free from personal Disability, who shall have filled the Office of a Sheriff or Coroner in the said County respectively, and not interested as aforesaid (a Person having more recently served either Office being always preferred), commanding such Sheriff or Coroner or other Person to impannel, summon, and return a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues in Her Majesty's Courts of Record at *Dublin;* and the Persons so to be impannelled, summoned, and returned are hereby required to appear before the said Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be directed, and to attend from Day to Day until duly discharged; and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, or Coroner or other Person, or by some Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Dublin* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff, Under Sheriff, Coroner, and other Person shall return other honest and indifferent Men of the Standers-by, or of others that can speedily be procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff and Under Sheriff, Coroner, or other Person is hereby empowered and required to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may authorize or order the said Jury, or any Six or more of them, to view the Place or Matter in controversy; and such Jury shall upon their Oaths (or, being of the Society of

Jury to be summoned by the Sheriff or Coroner or Person who shall last have filled the Office of Sheriff and not interested.

Persons

Persons called *Quakers*, upon their solemn Affirmations, which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations of all such Persons as shall be called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of and assess and give Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands, except for such Interest or Interests therein as shall have been of right purchased by the said Company from any other Person or Persons, and also the separate and distinct Sum or Sums of Money to be paid by way of Satisfaction or Compensation, either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages which shall have been so done as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Company, and which cannot or will not be further obviated, removed, or repaired by them; and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation as shall be assessed by such Jury; which said Verdict, and the Judgment thereon to be pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes upon all Corporations and Persons whatsoever: Provided always, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Company to the Party or Parties with whom any such Controversy shall arise by leaving such Notice at the Dwelling House of the Person, or of the Clerk or Agent or principal Officer of the Corporation, or with some Tenant or Occupier of the Premises intended to be valued, or respecting which or any Damage to which any such Question shall arise: Provided also, that in all Cases the Party claiming such Satisfaction or Compensation shall be the Plaintiff, and shall be entitled to all such Advantages and Privileges as Plaintiffs are in Actions tried in any of Her Majesty's Courts in *Dublin* by Law entitled.

Compensation Money to be apportioned.

XLII. And be it further enacted, That the said Juries shall and they are hereby respectively empowered, if thereunto required, to settle what Shares and Proportions of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest in the Premises for his or her Interest therein.

Verdicts to be recorded.

XLIII. And be it further enacted, That the said Verdicts and Judgments, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the County or Place in which the Matter of Dispute shall have arisen among the Records of the Quarter Sessions for such County or Place, and shall be deemed Records to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and also to take or make Copies thereof, paying for every Copy after the Rate of Sixpence for every Hundred Words.

XLIV. And

Penalty on Sheriff, &c. Jurors or Witnesses making default.

XLIV. And be it further enacted, That if the said Sheriff or his Deputy, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or (being of the Society of Persons called *Quakers*) to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, and if any Person so summoned to give Evidence as aforesaid shall not appear on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn or to give Evidence, every Person so offending, having no reasonable Excuse, (to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person,) shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall be summoned, any Sum not exceeding Twenty Pounds, to be levied by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County or Place in which the said Lands shall be situate, or the said Inquisition shall be held, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus of the Money thereby produced, after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

Jurors to be under the same Regulations as those of the Courts of Record at Dublin.

XLV. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Dublin*; and all Persons who in any Examination to be taken by virtue of this Act upon their Oath, or, being of the Society of Persons called *Quakers*, upon their solemn Affirmation, shall wilfully and corruptly give false Evidence before any such Jury, Sheriff, Under Sheriff, Coroner, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to the Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject.

By whom Expences of Juries shall be paid.

XLVI. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Company for the Purchase of any Lands to be taken by them for the Purposes of this Act, or as Compensation for any Damage or Loss which may happen or arise in the Execution of any of the Powers hereby granted, all the Costs of summoning such Jury and the Expences of Witnesses shall be defrayed by the said Company, and such Costs and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person as aforesaid; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Twenty-one Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels of the said Company under a Warrant to be

issued for that Purpose by any Justice of the Peace for the County or Place where such Inquisition shall be held, not being interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; but if the Verdict of the Jury be given for a less Sum than shall have been previously offered by the said Company, One Third of the Costs and Expences shall be defrayed by the said Company, and the Remainder, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money adjudged to be paid to such Party as aforesaid as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of the Money so adjudged shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender in satisfaction of the whole thereof: Provided always, that in Cases where by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Company.

Persons requesting Juries to enter into Bonds to prosecute their Complaint and pay Expences.

XLVII. And be it further enacted, That all Parties with whom the said Company shall have any such Dispute shall at their own Costs, before the said Company shall be obliged to issue out their Warrant for summoning of such Jury, enter into a Bond with Two sufficient Sureties to the Treasurer of the said Company in a Penalty of One hundred Pounds to prosecute the Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning and returning such Jury and taking such Verdict, and of the summoning and Attendance of Witnesses, in case any Part of such Costs and Expences shall fall upon them.

Notice of Injury to be given to the Company before Complaint.

XLVIII. And be it further enacted, That the said Company shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, to receive or take notice of any Complaint to be made by any Party for any Loss or Injury by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing signed by or on the Behalf of the Corporation or Person making such Complaint, stating the Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said Company within the Space of Two Calendar Months after the Time of such supposed Loss or Injury having been sustained, or the doing or committing thereof shall have ceased.

Settling Disputes as to Damages to a small Amount.

XLIX. And be it further enacted, That in case any Difference shall arise between the said Company and any of the Owners or Occupiers of the Property to be taken for the Purposes of this Act as to the Amount or Value of the Damages done by the said Company, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall be ascertained and determined by some Two or more Justices of the Peace for the County or Place in which such Lands shall lie, who, upon Application made

made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Company, provided such Compensation do not exceed the Sum of Twenty Pounds; and the said Justices respectively are hereby authorized and required, on Nonpayment of the said Damages for the Space of Ten Days after the same shall become due, to levy such Damages and all Charges respecting the same by Distress and Sale of any Goods and Chattels of the said Company, in the same Manner as by this Act is directed with respect to the Recovery of Compensation for other Damages done by the said Company.

Application of Purchase Money in case of Want of Title, &c.

L. And be it further enacted, That in case any Person to whom any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers of this Act, or for the Release of any such Lands from any Rent or Incumbrance charged thereon, shall refuse to accept the same, or shall refuse, neglect, or be unable to make a good Title to the Premises, to the Satisfaction of the said Company, for the Purposes of this Act, or shall be absent from *Ireland*, or cannot be found, or if any Person entitled unto or to convey such Lands be not known, or be absent from *Ireland*, or shall refuse to convey the same, then and in every such Case it shall be lawful for the said Company to order the Money so awarded as aforesaid to be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court of Chancery in *Ireland*, to be placed to his Account to the Credit of the Parties interested in the said Lands, and (describing them so far as the said Company can do so) subject to the Control and Disposition of the said Court; which said Court, on the Application of any Person making claim to such Money or any Part thereof by Petition, is hereby empowered, in a summary Way of Proceeding, as to such Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim thereunto, and to make such other Order in the Premises as to the Court shall seem proper; and the Cashier of the Bank of *Ireland* who shall receive such Money is hereby required to give a Receipt to the said Company for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received.

Persons in Possession presumptively entitled.

LI. Provided always, and be it further enacted, That when any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, or of any Estate, Right, Title, or Interest in any Lands to be taken or used in pursuance of this Act for the Purposes aforesaid, or for Compensation or Satisfaction as aforesaid, or to any Annuities or Securities to be purchased with any such Money as aforesaid, or to the Dividends or Interest of any such Annuities or Securities, the Persons who shall have been in Possession of such Lands at the Time of such Purchase, and all Persons claiming under such Persons, or consistently with the Possession

session of such Parties, shall be deemed to have been lawfully entitled to such Lands, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the Satisfaction of the said Court that such Possession was a wrongful Possession, and that some other Party was lawfully entitled to some and what Part of such Lands, or to some Estate or Interest therein.

Application of Compensation Money amounting to 200*l.*

LII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers of this Act, or for the Release of any such Lands from any Rents or other Incumbrances charged thereon, or for any Compensation or Satisfaction under this Act, which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, shall be entitled unto, interested in, or hereby capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, to be placed to his Account there *ex parte* "The Great *Leinster* and *Munster* Railway Company," according to the General Orders of the said Court, and without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court made upon Petition to be presented to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, be applied either in the Purchase or Redemption of the Quit Rent or Crown Rent, or in or towards the Discharge of any Debt or other Incumbrance affecting the said Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, and Purposes, as the said Court of Chancery shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation or Satisfaction shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Order can be made the said Money may, by Order of the said Court upon Application thereto, be invested by the Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or

Securities shall be ordered by the said Court to be sold or called in or cancelled for the Purposes aforesaid, the Dividends or Interest and annual Produce thereof shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled.

Application where Money is less than 200*l.*

LIII. Provided always, and be it further enacted, That if any Money agreed or awarded to be paid for any Lands to be taken and used for the Purposes of this Act, or for the Release of any such Lands from any Rent or other Incumbrance charged thereon, or for Compensation or Satisfaction as aforesaid in respect of any Lands, and belonging to any Corporation or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Persons for the Time being entitled to the Rents and Profits of the Lands so purchased, taken, or used, or of their respective Husbands, Guardians, or Committees in case of Coverture, Infancy, Lunacy, or other Incapacity, with the Approbation of the said Company signified in Writing under their Common Seal, be paid into the said Bank of *Ireland* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the respective Persons exercising such Option, such Nomination being approved by the said Company, and such Nomination and Approbation to be signified in Writing under the Hands or Common Seals of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall by such Trustees be applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *Ireland* in the Name of the Accountant General of the Court of Chancery, but without being required to obtain any Order of the said Court touching the Application thereof.

Application where Money is less than 20*l.*

LIV. Provided also, and be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before mentioned shall not exceed Twenty Pounds, then the same shall be paid to the respective Persons who would for the Time being have been entitled to the Rents and Profits of the Lands so taken or used for the Purposes of this Act, or in respect of which such Compensation or Satisfaction shall be paid, for their own Use and Benefit; or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to their respective Husbands, Guardians, Committees, or Trustees, to and for the Use and Benefit of the Persons respectively entitled thereto.

Expences of Title to be paid by the Company.

LV. And be it further enacted, That all the Costs, Charges, and Expences on the Part as well of the Seller as the Purchaser of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Company for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the Company may require

require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Company may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into Possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same in such Manner as herein mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party or Parties from whom the Lands shall be purchased or taken: Provided always, that the said Company shall not be prevented from entering into Possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party or Parties from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Company, deliver a Bill of their said Costs, Charges, and Expences to the said Company.

The Court may order reasonable Expences of Purchase and Investments to be paid by the Company.

LVI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of any Party entitled to any Lands to be taken or used, or in respect of which any Satisfaction, Recompence, or Compensation shall be payable under the Authority of this Act, the Purchase Money for the same or the Money paid for such Compensation shall be required to be paid into the Bank of *Ireland*, it shall be lawful for the said Court to order all the Costs, Charges, and Expences attending the Purchase or the taking or using of such Lands, or which may be incurred in consequence thereof, and of the Reinvestment of the Purchase or Compensation Money in other Land, or so much of such several Costs, Charges, and Expences as the said Court shall deem reasonable, and likewise the Costs, Charges, and Expences occasioned only by the passing of this Act, and not by Litigation between Claimants or otherwise, of any Proceedings had as herein authorized for the Investment of such Purchase or Compensation Money in Government or Real Securities, and for the Payment of the Interest and Dividends thereof, and of such Government or Real Securities, or of the Money to be produced by the Sale thereof out of Court, together with the necessary Costs and Charges of obtaining the proper Order for such Purposes, to be paid by the said Company out of the Monies to be received by virtue of this Act, and the said Company shall from Time to Time pay such Sums of Money for such Costs, Charges, and Expences as the said Court shall direct; and also, that where in any other Cases the Purchase Money for any Lands to be taken or used under the Authority of this Act, or any Monies payable for any Satisfaction, Recompence, or Compensation under this Act, shall, by reason of or under any of the Provisions of this Act, be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court, it shall likewise be lawful for the said Court to order the reasonable Expences of any Party or Partiin es procuring

the same to be paid out of Court, together with the necessary Costs and Charges of obtaining the proper Orders for such Purposes, to be in like Manner paid by the said Company out of the Monies to be received by virtue of this Act, and the said Company accordingly shall from Time to Time pay such Sums of Money and in such Manner and for such Purposes as the said Court shall direct.

How Costs are to be ascertained.

LVII. And be it further enacted, That if the said Company and the Party or Parties aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Chancery; and it shall be lawful for the said Court, on Petition to be presented by the said Company, to order and direct that such Costs, Charges, and Expences shall be referred to One of the Masters of the said Court to be taxed in the usual Manner, and such Order shall be served on the Party or Parties aforesaid; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Company to the Person or Persons from whom such Lands shall have been purchased or taken, shall be paid to the Person or Persons aforesaid: Provided always, that the said Company shall not be at liberty to enter into Possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Company shall have deposited in the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account there *ex parte* "The Great *Leinster* and *Munster* Railway Company," pursuant to the Method prescribed by the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth; which Sums shall be applied, under the Order of the said Court, in payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Company, unless the Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Person or Persons from whom the said Lands were purchased or taken, and the Amount thereof may then be paid to the said Company out of the said Sum so deposited by them as aforesaid.

Power to enter Lands, &c. on Payment or Tender of Purchase Money.

LVIII. And be it further enacted, That upon Payment or legal Tender of such Sums of Money as shall have been agreed upon between the Parties, or awarded by a Jury in manner aforesaid, for the Purchase of any Lands, or as a Satisfaction and Compensation for any Loss or Injury as aforesaid, to the respective Proprietors of such Lands, or other Persons respectively interested therein, and entitled to receive such Money or Satisfaction or Compensation respectively, within Twenty-one Days after the same shall have been so agreed upon or awarded, or if the Parties so respectively interested and entitled as aforesaid cannot be found, or shall be absent from *Ireland*, or shall refuse to receive such Money as aforesaid, or shall refuse, neglect, or be unable to make a good Title to such Lands (to the Satisfaction of the

the said Company), or if any Party entitled unto or to convey such Lands shall not be known, or shall be absent from *Ireland*, or shall refuse to convey the same, then upon Payment of such Money into the Bank of *Ireland*, as herein-before directed, within Twenty-one Days after the same shall have been so agreed upon or awarded, or after such Tender, Refusal, Neglect, or Disability shall have been made or discovered, for the Use of the Parties entitled thereto, then and in every of such Cases it shall be lawful for the said Company immediately to enter upon such Lands, and thereupon such Lands, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of all Parties therein, shall thenceforth be vested in and become the sole Property of the said Company to and for the Purposes of this Act; and such Payment or Tender and Conveyance, and such Deposit in the Bank of *Ireland* as aforesaid, shall operate to merge all outstanding or other Terms of Years, and to bar and destroy all Dower, and all Estates Tail and other Estates in Reversion and Remainder, and all Rights, Titles, Limitations, and Trusts whatsoever of and in the said Lands: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *Ireland* as aforesaid it shall not be lawful for the said Company, or for any Person acting under their Authority, to bore under, dig, or cut into or enter upon such Lands for any of the Purposes of this Act, save for the Purpose of ascertaining and setting out the same for the Purposes of this Act, without the previous Consent of the Owners and Occupiers thereof respectively.

Tenants from Year to Year to deliver Possession.

LIX. And be it further enacted, That all Tenants at Will, Lessees for a Year, and other Persons in Possession of any Lands which shall be intended to be taken or used for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenants at Will, or Lessees for a Year, or from Year to Year, shall respectively deliver up the Possession of such Premises to the said Company, or to such Persons as they shall appoint to take possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Company to such respective Tenants or Lessees or Persons in Possession, or left upon the said Premises, whether such Notice be given with reference to the Time of the Commencement of such Tenants holding or not, and whether such Notice be given before or after the said Premises shall be purchased by the said Company, or at such other Time after the Expiration of Six Calendar Months as they shall be respectively required; and in case any such Tenant or Lessee or Person so in Possession as aforesaid shall refuse to give up such Possession as aforesaid it shall be lawful for the said Company to issue their Precept, either under their Common Seal or under the Hands and Seals of Two at least of the Directors of the said Company, to the Sheriff of the County in which the Premises shall be situate, to deliver Possession of the said Premises to such Persons as shall in such Precept be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy and satisfy such Costs as shall accrue from the issuing and Execution of such Precept on the Person or Persons so refusing to give Possession by Distress and Sale of his Goods.

LX. Pro-

Interest of such Tenants to be settled by a Jury.

LX. Provided also, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up Possession of any Premises so occupied by him before the Expiration of his Term or Interest therein, the said Company shall and they are hereby required to make or tender unto such Tenant or Lessee, before they shall issue their Precept as aforesaid, Satisfaction or Compensation for the Value of his unexpired Term or Interest in the said Premises; which Satisfaction or Compensation, in case of Difference, shall be ascertained and determined, and the Expence of such Inquiry shall be defrayed in the same Manner as any other Satisfaction or Compensation for any Lands taken or used by the said Company is by this Act directed to be made or determined.

Persons holding under Leases to produce the same.

LXI. Provided always, and be it further enacted, That in all Cases in which any Party shall claim any Satisfaction, Recompence, or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto in any Lands, Mines, or Minerals intended to be taken or used under the Authority of this Act, under or by virtue of any Demise, Lease, or Agreement for Lease, or Grant thereof, the said Company are hereby authorized to require such Party to produce or show the Lease or Agreement of Lease, Demise, or Grant in respect of which such Claim to Satisfaction, Recompence, or Compensation shall be made, or the best Evidence thereof in his Power; and if such Lease or Agreement for Lease, Demise, or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within a reasonable Time after Demand made by a Clerk of the said Company, or by any Person by them authorized, the Party claiming such Satisfaction, Recompence, or Compensation shall be considered and treated as a Tenant holding only from Year to Year.

Compensation to be made for temporary Damage.

LXII. And whereas, in making and executing the said Railway and the several other Works by this Act authorized, it may be necessary for the said Company, their Agents and Workmen, to enter upon and take temporary Possession of some Parts of the Lands adjoining to the Line of the said Railway and other Works for the Purpose of laying or depositing thereon the Earth, Clay, and other Materials which shall have been taken out in excavating deep Cuttings, or of manufacturing such Clay into Bricks, or of getting and procuring Earth and Materials from such adjoining Lands for forming Embankments or for making Bricks; but inasmuch as a Jury summoned as directed by this Act to assess a Compensation for the Damage and Injury done to such adjoining Lands by the Exercise of the Powers and Authorities by this Act granted cannot, either upon View or from Evidence, form a just Opinion of the permanent Injury which will be sustained by the Owners or Proprietors of such adjoining Lands by the Exercise of the Powers and Authorities aforesaid until the Works shall have been completed, it is expedient that the said Company, their Agents and Workmen, should be empowered to enter upon such adjoining Lands for the Purposes aforesaid without previously making such Payment, Tender, or Investment of Money as herein-before mentioned; be it therefore enacted, That, notwithstanding any thing in this Act contained, it shall be lawful for the said Company, their Agents and Workmen, and they are

are hereby empowered, to enter upon the Lands of any Person or Corporation whatsoever adjoining or lying near to the said Railway and other Works by this Act authorized to be made and maintained, or any of them, or any Part thereof respectively, for the Purpose of depositing or manufacturing upon such Lands or any Part thereof respectively any Soil, Gravel, Clay, Sand, Stone, or other Materials which shall have been excavated, dug, or got in making the said Railway or other Works, or which may be taken or dug out of or from any Lands adjoining to the Place where the said Works shall be then carried on, and to dig, cut, get, take, remove, and carry away out of and from such adjoining Lands or any Part thereof any Soil, Gravel, Clay, Sand, Stone, or other Materials which can or may be got or found therein, and which may be requisite or convenient for making the said Railway and other Works, and to manufacture the same, without having previously made such Payment, Tender, or Investment as herein-before mentioned; they the said Company, their Agents and Workmen, doing as little Damage as may be in the Exercise of the several Powers hereby granted to them, and making Compensation for such temporary Occupation of the said Lands to the Owners or Occupiers thereof; such Compensation, in case the Parties differ about the same, to be settled and recovered in manner herein-before provided in Cases of Disputes as to Damages to a small Amount, whether the same exceed Twenty Pounds or not: Provided always, that the said Company shall and they are hereby required, within Three Months after the Expiration of the Period by this Act granted for executing the said Railway and other Works, to make such Compensation and Satisfaction for the permanent Damage or Injury (if any) which may have been done to the said Lands by the Exercise of any of the Powers and Authorities aforesaid, in the same Manner as in this Act is directed in other Cases of permanent Damage or Loss occasioned by the said Company: Provided also, that before it shall be lawful for the said Company to make such temporary Use as aforesaid of the Lands adjoining or lying near the said Railway or Works, the said Company shall and they are hereby required to give Fourteen Days Notice of such their Intention to the Owners or Occupiers of such Lands, and to separate and set apart by sufficient Railings or Fences so much of the Lands as shall be required to be so used as aforesaid from the other Lands adjoining thereto: Provided always, that it shall not be lawful for the said Company to make such temporary Use of any such Lands as aforesaid lying at a greater Distance than Two hundred Yards from the said Railway, nor to make Bricks or place a Steam Engine upon any of such Lands at any Place which shall not be distant at least Two hundred Yards from any Mansion, without the Leave of the Owner or Occupier of such Mansion in Writing first obtained for that Purpose.

Company not to claim Mines, &c. under Land purchased.

LXIII. And be it further enacted, That nothing in this Act contained shall extend to give to the said Company any Coal, Ironstone, Limestone, Stone, Slate, Clay, or other Mines or Minerals under any Lands purchased by the said Company under the Provisions of this Act, except only so much of such Coal, Ironstone, Limestone, Stone, Slate, Clay, or other Mines or Minerals as may be necessary to be dug or carried away or used for the Purposes of this Act, or as may

be found not deeper than the Line of the Section herein-before mentioned and referred to, (unless the said Mines shall have been expressly purchased and conveyed by the Owner thereof to the said Company,) but all such Coal, Ironstone, Limestone, Stone, Slate, Clay, or other Mines or Minerals not necessary to be so dug, carried away, or used as aforesaid, shall (unless the contrary be expressed) be deemed to be excepted out of the Purchase and Conveyance of such Lands, and may, subject to the Restrictions herein-after contained for the Purchase thereof by the said Company, be worked by the respective Owners or Lessees thereof under the said Lands of the Railway or other Works of the said Company, as if this Act had not been passed; provided that in the working of such Mines or Minerals no Damage be wilfully done to the said Railway or Works, and that the said Mines and Minerals be not worked in an improper Manner.

Owners of Mines to give Notice to the Company of their Intention to work the same, and Company to have Liberty to purchase.

LXIV. Provided always, and be it further enacted, That when and so often as the Proprietor or Lessee or Tenant of any Mines of Coal, Ironstone, Limestone, Stones, Slate, Clay, or other Mines and Minerals lying under the said Railway and Works, or any of them, or within the Distance of Forty Yards from such Railway or Works respectively, shall be desirous of working the same, then and in every such Case such Proprietor, Lessee, or Tenant shall give Notice in Writing to the said Company under his Hand of such Intention at least Twenty-one Days before he shall begin to work such Mines; and upon the Receipt of such Notice it shall be lawful for the said Company to inspect such Mines or cause the same to be inspected, and to contract and agree with any such Proprietor, Lessee, or Tenant for the Purchase of and to purchase any such Mines or Minerals, or any Part thereof, the getting and working of which may appear to the said Company likely to prejudice or damage the said Railway or other Works; and in case the said Company and such Proprietor, Lessee, or Tenant do not agree as to the Amount or Value of such Mines or Minerals, the same shall be ascertained and settled by the Verdict of a Jury, as is herein-before directed with respect to the Lands which shall or may be taken for the Purposes of this Act: Provided nevertheless, that in case the said Company do not, before the Expiration of such Twenty-one Days, declare their Desire to purchase the said Mines, and do not treat with such Proprietor, Lessee, or Tenant for the same, then it shall be lawful for the Proprietor, Lessee, or Tenant of such Mines, and he is hereby authorized, to work and get such Part of the said Mines as lie under the said Railway and Works, or within the Distance aforesaid, without being liable to the said Company for any Damage that may be done thereby, unless such Damage be wilfully done, or be caused by the working of the said Mines in an improper Manner.

If Company purchase the Mines, the Owners of Mines on each Side of the Railway may make Communications.

LXV. Provided also, and be it further enacted, That in case the said Company shall purchase any such Mines under the said Railway or Works, or within the Distance of Forty Yards thereof, it shall be lawful for the respective Proprietors, Lessees, or Tenants of the adjoining Mines, such Proprietors, Lessees, or Tenants being the Proprietors, Lessees, or Tenants of the Mines on both Sides of the Mines so purchased, to cut and make such and so many Airways, Headways,

Headways, Gateways, or Water Levels through the Mines, Measures, or Strata so purchased by the said Company as may be requisite to enable such Proprietors, Lessees, or Tenants to ventilate, drain, work, and get the Minerals on each Side of the Mines so purchased as aforesaid: Provided always, that no Airway, Headway, Gateway, or Water Level shall be of greater Dimensions or Section than Eight Feet wide and Eight Feet high; and the respective Proprietors, Lessees, or Tenants of such Mines, or other the Persons cutting and making the same, shall allow and repay unto the said Company, for all Coal or other Minerals worked or obtained by them from and out of such Airway, Headway, Gateway, or Water Level, at the same Rate or Price at which the said Company shall have purchased and paid for the said Mines: Provided also, that no Airway, Headway, Gateway, or Water Level shall be so cut or made as in any way to injure the said Railway or Works, or to obstruct or impede the Passage upon or along the said Railway.

Method of discovering when Mines are working under the Railway.

LXVI. And for the better ascertaining whether any such Mines are being worked or got or about to be worked or gotten so as to prejudice or damage the said Railway and other Works or any of them, be it further enacted, That it shall be lawful for the said Company, by themselves, their Agents and Workmen, from Time to Time and at all Times hereafter to enter upon any Lands through or near which the said intended Railway and other Works shall pass, wherein any such Mines shall be found or shall be working or be supposed to be working, and likewise to enter into and return from any such Coal-pits, Works, or other Mines, and for that Purpose to make use of any Gins, Whincies, Tackling, Ropes, Machines, Apparatus, or Machinery belonging to such Proprietors, Lessees, or Tenants, and to view, search, bore, dig, and measure, latch, and use all other Means for discovering the Distance of the said intended Railway and other Works from the working Parts of such Mines respectively; and in case it shall appear that any such Mines have been worked or got contrary to the Directions of this Act it shall be lawful for the said Company to give Notice to the Proprietors, Lessees, or Tenants of any such Mines who have so worked or got the same contrary to the Directions of this Act respectively to adopt and construct the requisite Means and Supports for sustaining and securing and making safe the said Railway and other Works, and preventing any Injury which may arise in consequence of such Mines having been so got contrary to the Directions of this Act; and in case the said Proprietors, Lessees, or Tenants respectively shall not immediately after such Notice proceed to secure and make safe the said Railway and Works, and use due Diligence in effecting the same to the Satisfaction of the said Company or their Engineer, then and in every such Case it shall be lawful for the said Company, their Agents and Workmen, at the Expence, Costs, and Charges of such respective Proprietors, Lessees, and Tenants of such Mines, to enter into and upon all such Mines, and from Time to Time to use all necessary Ways and Means for repairing, supporting, sustaining, securing, and making safe the said Railway and other Works; and such Expences, Costs, and Charges shall be recovered by the said Company from such Proprietor, Lessee, or Tenant who shall so respectively have worked or got the same

same contrary to the Directions of this Act, in such and the same Manner as the Rates, Tolls, or Sums by this Act granted may be recovered, and shall be paid to the Treasurer of the said Company, and applied for the Purposes of this Act.

No Shaft to be sunk under the Railway.

LXVII. And be it further enacted, That no Shaft, Pit, or Quarry shall be dug, sunk, or made in or on the Line of the said intended Railway or Works; but it shall be lawful for any Proprietor, Lessee, or Tenant of any Mines or Works on each Side of the said Railway to fix all such Ropes, Chains, Connexion Rods, and other Matters as may be necessary for working the said Mines, in conformity with the Provisions of this Act, over, under, across, near, or by the said Railway; provided that by so doing such Proprietor, Lessee, or Tenant do not injure such Railway or Works, or interrupt in any Manner the free Passage upon or along the same.

If Danger is occasioned to Passengers on Turnpike Roads, the Company to erect Skreens.

LXVIII. And be it further enacted, That in case the said intended Railway shall at any Time or Times hereafter, from its near Approach to any Turnpike Road, occasion Danger to Travellers on such Road in consequence of Horses being frightened by the Sight of the Engines and Carriages travelling upon the said Railway, it shall be lawful for any Person or Persons to make Complaint thereof to any Two Justices of the Peace acting for the Limit where such Turnpike Road shall be, who shall summon the Clerk or Treasurer for the Time being of the said Company, or One of the Directors thereof, before them to answer such Complaint; and if it shall appear to such Justices that the said Complaint is reasonable, then the said Company shall, within such Time as shall be ordered by the said Justices in that Behalf, and after Notice of such Order served upon them, or their principal Engineer, Clerk, or other Officer, within such Time as shall be appointed by the said Justices commence, and within such Time as shall be appointed by the said Justices complete, such Works in the Nature of a Skreen near to or adjoining the Sides of the said Turnpike Road or of the said intended Railway, as shall be directed by the said Justices, so as to prevent such Danger to Travellers upon the said Turnpike Road, and in case such Company shall neglect within the Time appointed in that Behalf to commence, or shall not continue to execute such Works until the due Completion thereof, or shall not complete the same within the Time in that Behalf appointed, the said Company shall forfeit and pay for every Day during which the said Company shall not commence or shall not proceed in the Completion of such Works, or during which the said Works shall not be completed after the Time appointed for the Completion thereof, the Sum of Twenty-five Pounds, to be recovered by the Commissioners or Trustees of the said Turnpike Road from the said Company in such and the same Manner as any other Penalties incurred by the said Company for which no special Provision is made by this Act.

Enabling the Company to sell Lands not wanted.

LXIX. And whereas by means of the Purchases which the said Company are empowered or are required to make by virtue of this Act they may happen to be seised of more Lands than will be necessary for effecting the Purposes of this Act, or of Lands not applicable to the Purposes hereof; be it therefore enacted, That it shall be lawful for

for the said Company to sell, and by any Deed under their Common Seal to convey to the Purchasers thereof, any Part of such superfluous Lands, or any Estate or Interest purchased by the said Company in such Lands or any Part thereof, in such Manner as they shall deem most advantageous, and such Conveyances from the said Company shall be valid and effectual to all Intents and Purposes: Provided always, that the said Company, before they shall dispose of any such superfluous Lands, shall first offer to sell the same to the Person or to the several Persons whose Lands or Premises shall immediately adjoin the Lands so proposed to be sold, such Persons being in *Ireland*, and conveniently to be found, and being capable of entering into a Contract for the Purchase of such Lands; and such respective Persons, in case they shall be desirous of purchasing the same, shall signify such their Desire and Intention in that Behalf to the said Company within Thirty Days after such Offer of Sale shall have been made; and in case such Persons shall decline to avail themselves of such Offer, or shall neglect to signify their Desire and Intention to Purchase such Lands for the Space of Thirty Days, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer of Sale shall cease; and an Affidavit made and sworn to before a Judge of any of Her Majesty's Courts of Record in *Dublin*, or before any Justice of the Peace for the County or Place where such Lands may be situate, by some Person not interested in such Land, stating that the Person entitled to such Right of Pre-emption was not in *Ireland*, or was not found, or was not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made by or on behalf of the said Company, and that such Offer was refused or was not accepted by the Person to whom the same was made within the Space of Thirty Days from the Time of making the same, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was refused or was not accepted within the Time aforesaid (as the Case may be) by the Person to whom such Offer was made; and in case any such Person as aforesaid shall be desirous of purchasing any such Lands, and he and the said Company shall not agree with respect to the Price thereof, then the Price thereof shall be ascertained by a Jury in the Manner by this Act directed with respect to the disputed Value of Lands to be taken or used by the said Company, and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in this Act is directed with respect to the disputed Value of Lands to be taken or used by the said Company, *mutatis mutandis*, and the Money produced by the Sale which may be made by the said Company of such Lands as aforesaid shall be applied to the Purposes of this Act.

Company, upon Payment of Money, to give Receipts.

LXX. And be it further enacted, That upon Payment of the Money which shall arise from the Sale of any Lands or of any Interest therein belonging to the said Company, which shall be sold by the said Company under the Authority of this Act, or upon Payment of any Money under this Act, it shall be lawful for any Three Directors of the said Company, or for the Secretary or Clerk or any Officer appointed by the said Directors for the Purpose, to sign and give a Receipt for the Money so paid; which Receipt shall be a sufficient

cient Discharge to all Persons for the Purchase Money for such Lands or Interests as shall be sold, or for such other Money as in such Receipt shall be expressed to be received, and such Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or other Money, or of any Part thereof.

The Word "grant" in Conveyances to amount to certain Covenants.

LXXI. And be it further enacted, That in all Conveyances to be made by the said Company under or in pursuance of this Act the word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to be express Covenants to or with the Grantees therein, and their Successors, and the Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of the Grantees therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Company, for themselves and their Successors, that they the said Company, notwithstanding any Act or Default done by them, were at the Time of the Execution of such Conveyances seised or possessed of the Lands thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them; or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrances done or occasioned by them; and that the Purchaser thereof, his Heirs, Successors, Executors, Administrators, or Assigns (as the Case may be), shall quietly enjoy the same against the said Company, their Successors and Assigns, and all claiming under them, and be indemnified and saved harmless by the said Company and their Successors from all Incumbrances committed by the said Company and their Successors, and also for further Assurance of such Lands by the said Company, their Successors and Assigns, and all claiming under them, unless except and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest expressed to be conveyed, shall and may in all Actions to be brought assign Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyance.

If Company do not purchase Lands within Three Years, the Power of purchasing to cease.

LXXII. Provided also, and be it further enacted, That unless the said Company shall, within the Space of Three Years to be computed from the passing of this Act, agree for or cause to be valued and paid for, as in this Act is mentioned, the Lands which they are by this Act empowered to take or use (or otherwise so much thereof as shall be by them deemed necessary and proper) for the Purposes of making the said Railway or other Works hereby authorized, (save and except the aforesaid Fifty Acres of Land which the said Company are by this Act authorized to purchase, in addition to the Lands hereby authorized to be taken or used for making the said Railway or other Works,) then and from henceforth the Powers which are hereby granted to them for taking or using such Lands shall cease and be utterly void.

LXXIII. Pro-

If Railway is not finished within Ten Years, the Powers of the Act to cease.

LXXIII. Provided also, and be it further enacted, That in case the said Railway and Works shall not have been made and completed (unless prevented by inevitable Accident) within the Space of Ten Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Ten Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said Railway and Works as shall have been declared and certified to be completed within the said Term by any Two or more Justices of the Peace assembled at any Quarter Sessions of the Peace to be holden in and for the County or respective Counties within which such Portion of the said Railway shall be completed, at any Time before the Expiration of the said Term of Ten Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of Two or more Witnesses upon Oath or Affirmation to be produced before them for that Purpose.

If Railway is abandoned, the Lands to vest in the Owners of adjoining Lands.

LXXIV. Provided also, and be it further enacted, That if the said Railway or any Part thereof shall at any Time hereafter be abandoned or given up by the said Company, or after the same shall have been completed shall for the Space of Five Years cease to be used and employed as a Railway, then and in such Case the Lands purchased or taken by the said Company for the Purposes of this Act, or otherwise the Part or Parts thereof over which the said Railway or any Part of such Railway which shall be so abandoned or given up by the said Company shall pass, shall vest in the Owner or Owners of the Land adjoining that which shall be so abandoned or given up in manner following; (that is to say,) One Moiety thereof in the Owner or Owners of the Land on the one Side, and the Remainder thereof in the Owner or Owners of the Land on the other Side thereof.

Parties to deliver a Statement of their Estates and Claims within Three Calendar Months after Notice.

LXXV. And be it further enacted, That on or before the Expiration of Three Calendar Months next after Notice in Writing from the said Company or their Agents duly authorized of their Intention to take or use any Lands or any Part thereof for the Purposes of this Act shall have been given to any Person or Corporation seised, possessed of, or interested in or authorized by this Act to accept and receive Satisfaction and Compensation for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, or for any Injury or Damage sustained on account of the Execution of this Act, such Person or Corporation shall deliver or cause to be delivered at the Office of the said Company a Statement in Writing of the Particulars of the Estate, State, Share, Interest, or Charge which he or they claim to be entitled to, or to be authorized to receive Satisfaction and Compensation for, and of the Injury or Damage sustained by him or them, and of the Amount of the Sum of Money which he or they may expect and be willing to receive in satisfaction and compensation for the Value of such Estate, Share, Interest, or Charge, and for such Injury or Damage respectively.

Satisfaction to be made for Lands taken.

LXXVI. And be it further enacted, That all Corporations and other Persons herein-before capacitated to sell and convey any Lands, and the respective Owners and Occupiers of any Lands through,

under, in, or upon which the said Railway or other Works hereby authorized are intended to be made, may accept and receive Satisfaction for the Value of such Lands, or the Interest or Interests therein by them conveyed, and also Compensation for any Damage by them sustained by reason of the Execution of any of the Works by this Act authorized, and also by reason of the severing or dividing such Lands, and also for and on account of any Damage, Loss, or Inconvenience which may be sustained by such Corporations or other Parties by reason of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners, including Persons hereby capacitated as aforesaid, and Occupiers respectively and the said Company; and in case the said Company and such Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, or Compensation, the same respectively or either of them concerning which they do not so agree shall be ascertained and settled by the Verdict of a Jury, if required, as herein-after is directed.

The whole of the Expence to be subscribed for before the Work is commenced.

LXXVII. And whereas the probable Expence of making the said Railway and the other Works hereby authorized will amount to the Sum of Eight hundred thousand Pounds, and the Sum of Six hundred and seventy thousand Pounds and upwards, or more than Five Parts in Six thereof, has been already subscribed for by several Persons under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them respectively subscribed for; be it therefore enacted, That the whole of the said Sum of Eight hundred thousand Pounds shall be subscribed for in like Manner before any of the Powers given by the Act in relation to the compulsory taking of Land for the Purposes of the said Railway shall be put in force.

Certificate under the Hand of a Justice of the Peace shall be Proof that the whole Money has been subscribed for.

LXXVIII. Provided always, and be it further enacted, That a Certificate under the Hand and Seal of any Justice of the Peace for any of the Counties through which the Railway is intended to pass, that the whole of the said Sum of Eight hundred thousand Pounds hath been subscribed as aforesaid, (and which Certificate such Justice is hereby authorized and required to grant on Application made to him by the said Company, and on Production of the Subscription Deed of or relating to the said Company, and due Proof of the Execution thereof,) shall for all Purposes whatever be conclusive Evidence that the whole of the said Sum of Eight hundred thousand Pounds has been subscribed.

Proprietors to raise not exceeding 800,000*l.*, amongst themselves for the Undertaking, to be divided into Shares of 100*l.* each.

LXXIX. And be it further enacted, That it shall be lawful for the said Company to raise amongst themselves any Sum of Money for making and maintaining the said Railway and other Works by this Act authorized, not exceeding in the whole the Sum of Eight hundred thousand Pounds, the whole to be divided into Eight thousand Shares of One hundred Pounds each; and such Eight thousand Shares shall be numbered, beginning with Number One, in Arithmetical Progression, and every such Share shall be distinguished by the Number

to be applied to the same; and the said Shares shall be and are hereby vested in the several Parties so raising the same, and their several and respective Successors, Executors, Administrators, and Assigns, to their proper Use and Benefit, proportionably to the Sum they shall severally contribute; and all Corporations and Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof towards the said Undertaking and other the Purposes of the said Subscription, shall be entitled to and shall receive, at such Time or Times as the said Company shall, at any General or Special General Meeting to be convened for that Purpose in such Manner as Meetings on other Occasions are by this Act directed to be convened, or as the Directors of the said Company appointed or to be appointed as herein-after mentioned shall, after an Order for that Purpose shall have been made by the said Company at any such General or Special General Meeting, direct and appoint, in proportionable Parts, according to the respective Sums so by them respectively paid, the net Profits and Advantages which shall arise and accrue from or by the Rates, Tolls, and other Sums of Money to be received by the said Company, as and when the same shall be divided by the Authority of this Act.

Shares to be deemed Personal Estate.

LXXX. And be it further enacted, That all the Shares and Proportions of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall to all Intents and Purposes be deemed Personal Estate, and be transmissible as such, and shall not be deemed to be of the Nature of Real Property.

Names of Proprietors to be entered, and Certificates given.

LXXXI. And be it further enacted, That the said Company shall and they are hereby required, at their First or some subsequent General Meeting, and afterwards from Time to Time, to cause the Names of the several Corporations, and the Names and Additions of the several Persons who shall then be or shall from Time to Time thereafter become entitled to Shares in the said Undertaking, with the Number of Shares to which they are respectively entitled, and the Amount of the Subscriptions paid thereon, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the said Company, and after such Entry made to cause their Common Seal to be affixed thereto; and the said Company shall from Time to Time cause a Certificate or Ticket, with the Common Seal of the said Company affixed thereto, to be delivered to every such Proprietor on Demand, specifying the Share or Shares to which he is entitled in the said Undertaking, such Proprietor paying to the said Company the Sum of Two Shillings and Sixpence, and no more, for every such Certificate or Ticket; and such Certificate or Ticket shall be admitted in all Courts whatsoever as *primâ facie* Evidence of the Title of such respective Proprietors, their Successors, Executors, Administrators, or Assigns, to the Share or Shares therein specified, but the Want of such Certificate or Ticket shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing thereof; and such Certificate or Ticket may be in the Words or to the Effect following; (that is to say,)

‘ The Great *Leinster* and *Munster* Railway Company.
‘ Number
‘ THESE are to certify, That *A.B.* is the
‘ Proprietor of the Share, Number of the Great
‘ *Leinster* and *Munster* Railway Company, subject to the Rules,
‘ Regulations, and Orders of the said Company. Given under the
‘ Common Seal of the said Company the Day of
‘ in the Year of our Lord .’

For granting new Certificates when the old ones are destroyed or worn out.

LXXXII. And be it further enacted, That if any such Certificate or Ticket as aforesaid shall be worn out or damaged, then, upon the same being brought and shown at some Meeting of the Directors of the said Company, such Certificate or Ticket may be cancelled and destroyed, and another similar Certificate or Ticket be given, under the Common Seal of the said Company, to the Party in whom the Property of such Certificate or Ticket and of the Shares therein mentioned shall be at that Time vested; or in case such Certificate or Ticket shall be lost, or burnt, or totally destroyed, then upon full Proof thereof a similar Certificate or Ticket shall be given to the Party who was the Proprietor of or entitled to the Certificate or Ticket so lost, burnt, or destroyed; and a due Entry of the Substitute or Duplicate of such Certificate or Ticket shall be made by the Clerk of the said Company in manner herein directed, the said Clerk receiving for every such Certificate or Ticket which shall be so given or exchanged the Sum of Two Shillings and Sixpence and no more.

Company to enter and keep a List of Proprietors of Shares.

LXXXIII. And be it further enacted, That the Clerk of the said Company shall, in some proper Book to be provided by the said Company for that Purpose, enter and keep a true Account of the Places of Abode of the several Proprietors of the said Undertaking, and of the several Corporations and Persons who shall from Time to Time become Proprietors thereof, or be entitled to any Share therein; and every Proprietor of the said Undertaking, or (in case of a Corporation) the Clerk or Agent of such Corporation, duly appointed, may at all convenient Times have recourse to and peruse such Books *gratis*, and may demand and have Copies thereof, or of any Part thereof, paying at and after the Rate of Sixpence for every Hundred Words so copied.

For ascertaining the Proprietorship of Shares in certain Cases.

LXXXIV. And whereas in Cases where the Proprietors of any Shares in the said Undertaking shall die, or marry, being Female, or become insolvent or bankrupt, or go out of the Kingdom, or shall transfer their Right and Interest therein to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not lie in the Power of the said Company to ascertain who are the Proprietors of such Shares, in order to give them, or their respective Executors, Administrators, Successors, or Assigns, Notice of Calls to be made on such Shares, or to maintain Actions, Suits, or other Proceedings against them, or their respective Executors, Administrators, Successors, or Assigns, for the Recovery of the same, or to ascertain to whom the Dividends becoming due on such Shares ought to be paid; be it therefore enacted, That in all the Cases aforesaid where the Right of Property

Property or any Shares in the said Undertaking shall pass from the original Proprietors thereof to any other Person or to any Corporation by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein specified, an Affidavit shall be made and sworn to by some credible Person before any of Her Majesty's Justices of the Peace, or before any Master or Master Extraordinary in the High Court of Chancery, stating the Manner in which such Share hath been passed to such other Person or to such Corporation, and such Affidavit shall be delivered to and left with the Clerk of the said Company, to the Intent that he may preserve the same, and enter and register the Name of every such other Proprietor, or the Description of every such Corporation, in the Register Book or List of Proprietors of the said Undertaking; and the said Clerk shall be entitled to receive for every such Entry the Sum of Five Shillings and no more; and in all or any of the said Cases, after Twenty-one Days Notice in Writing shall have been given by the said Directors, under the Hand of the Clerk or Treasurer of the said Company, to the Person or Corporation stated or claiming in such Affidavit to be the Proprietor or Proprietors of such Share, or left at the last or usual Place of Abode of such Person or of the Clerk of such Corporation, to pay his Proportion of Money to be called for, and such Person or Corporation shall not have paid such Proportion as aforesaid, it shall be lawful for the said Company, at any General Meeting or Special General Meeting after the Expiration of such Notice, to declare every such Share to be forfeited; and in such Case the same shall and may be sold and disposed of in such Manner as the said Company at any such Meeting shall direct, or otherwise become consolidated in the general Fund of the said Company; and in case there shall be no such Affidavit made as aforesaid, then such Notice as is herein-before directed to be given shall be served upon or be left at the last Place of Abode of the Executors or Administrators of such Proprietor so dying, or of the Assignees or Trustees of such Proprietor so becoming bankrupt or insolvent, or in the event of the Share or Shares being disposed of as aforesaid, of the last Proprietor appearing in the Books of the said Company to have been possessed of the same; and in case the last or usual Place of Abode of any such Proprietor cannot be ascertained upon Inquiry, or in case such Proprietor shall go out of the Kingdom, such Notice shall be inserted once in some *London* and *Dublin* Newspaper; and in all such Cases and after such Notices, on Default being made, the Share shall be forfeited in manner aforesaid, except only that in the Cases of Proprietors being abroad the Share shall not be forfeited until the Expiration of Three Calendar Months after the Day on which such Notice shall have been left at the last or usual Place of Abode of such Proprietors, or inserted in such Newspapers as aforesaid: Provided always, that before any Person shall be entitled to a Share in the Profits of the said Undertaking in right of Marriage with any Female Proprietor, or to vote in respect of such Share, an Affidavit, or a solemn Affirmation by any Person of the Society of Quakers, in Writing, containing a Copy of the Register of such Marriage, and identifying the Wife as Proprietor of such Share, shall be sworn to or solemnly affirmed to by some credible Person before some Justice of the Peace or Master or Master Extraordinary of Her Majesty's High Court

Court of Chancery, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book for the Registry of Transfers of Shares; and before any Person shall in like Manner be entitled to a Share in the Profits of the said Undertaking, or to vote in respect thereof by virtue of any testamentary Instrument, the Will or Probate thereof, or Letters of Administration, or official Extracts therefrom, duly verified by Affidavit or Affirmation as aforesaid, shall be produced and shown to the said Clerk, who shall, as herein-before directed, file the same, and make an Entry thereof in the Book for the Registry of Transfers of Shares: Provided also, that the said Company shall not be bound to see to the Execution of any Trust, whether express or constructive, to which any such Share shall be subject or liable.

To compel Payment of Subscriptions.

LXXXV. And be it further enacted, That the several Parties who have subscribed or who shall hereafter subscribe for or towards the said Undertaking shall and they are hereby required to pay the respective Sums of Money by them respectively subscribed for, or such Parts or Proportions thereof, and at such Times and Places as shall from Time to Time be called for and directed by the Directors of the said Company under and by virtue of the Powers of this Act; and in case any Party shall refuse or neglect to pay the Money by him so subscribed for, or the Part thereof so called for, at the Time and in the Manner required for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity, together with Interest on such unpaid Sum of Money at the Rate of Four Pounds Ten Shillings *per Centum per Annum* from the Time when the same shall have been directed to be paid by the said Directors as aforesaid.

Power to pay Interest so soon as 20*l.* per Cent. shall have been paid up, until the Completion of the Works.

LXXXVI. And be it further enacted, That it shall and may be lawful for the Directors of the said Company to accept and receive from any of the Proprietors of the said Company, to be applied to the Purposes of the said Undertaking, all or any Part of the Monies due upon their respective Shares beyond the Sums which shall then have been actually called for; and that when and so soon as the Sum of Twenty Pounds shall have been paid either in consequence of Calls or otherwise in respect of any Share in the said Undertaking, and until the said Railway hereby authorized to be made shall be completed and open to the Public, the said Company shall and they are hereby empowered to pay Interest after the Rate of Three Pounds Ten Shillings for every Hundred Pounds by the Year upon the Principal Monies which for the Time being shall amount to or exceed the Sum of Twenty Pounds for or in respect of every such Share, and which shall be so subscribed and actually paid as aforesaid, which Interest shall commence and be computed from the Day or respective Days on which Calls or Instalments of Calls to the Amount of Twenty Pounds or upwards in respect of each Share shall have become due, or as to Monies paid in advance on account or in respect of any Shares in the said Undertaking, then from the Day or respective Days on which such Monies shall have been advanced respectively.

Directors may make Calls.

LXXXVII. And be it further enacted, That the said Directors shall have Power from Time to Time to make such Calls of Money from the Subscribers to and the Proprietors of the said Undertaking, to defray the Expences of or to carry on the same, as they from Time to Time shall find necessary for those Purposes, so that the aggregate Amount of Calls made or Money paid for or in respect of any such Shares shall not amount to more than the Sum of One hundred Pounds on any such Share, and so that no such Call shall exceed the Sum of Ten Pounds upon each Share which any Person or Corporation shall or may be possessed of or entitled unto in the said Undertaking, and such Calls shall not exceed the total Amount of Thirty Pounds on each Share in any one Year; and all Monies so called for shall be paid to such Persons and in such Manner and by such Instalments, if the said Directors shall think proper, as the said Directors shall from Time to Time direct and appoint for the Use of the said Undertaking; and every Owner of any Share in the said Undertaking shall pay his rateable Proportion of the Monies to be called for as aforesaid to such Persons and at such Times and Places as the said Directors shall from Time to Time direct and appoint; provided that there shall be an Interval of Two Calendar Months at the least between the Periods at which each successive Call shall be made, and Twenty-one Days Notice at the least shall be given of every such Call by Advertisement in the Newspapers herein-before directed, and there shall also be an Interval of Two Calendar Months at the least between the Day on which the last Instalment of any one Call shall be due and the Day on which the first Instalment of the succeeding Call shall become due; and if any Owner of any such Share shall not so pay such his rateable Proportion or any Instalment thereof, then and in such Case and so often as the same shall happen such Owner shall pay Interest for the same after the Rate of Four Pounds Ten Shillings *per Centum per Annum* from the Day appointed for the Payment thereof up to the Time when the same shall be actually paid; and if any Owner of any such Share shall neglect or refuse so to pay such his or her rateable Proportion or any Instalment thereof, together with the Interest, if any accrue for the same, for the Space of Three Calendar Months after the Day appointed for the Payment thereof, then it shall be lawful for the said Company or the said Directors to sue for and recover the same in any of Her Majesty's Courts of Record at *Westminster* or in *Dublin* by Action of Debt or on the Case, or by Bill, Suit, or Information, where no Essoign, Wager, or Protection of Law, or more than One Imparlance, shall be allowed; or the said Company or the said Directors may and they are hereby authorized to declare the Shares belonging to any Person or Corporation so refusing or neglecting to pay any such Calls, together with Interest, in manner last aforesaid, to be forfeited and to be sold, subject to the Provisions of this Act: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share in the said Undertaking until Notice in Writing under the Hand of the Clerk or Treasurer of the said Company of such Share having been declared by the said Directors forfeited shall have been given or sent by the Post unto or left at the last known usual Place of Abode of the Owner of such Share, nor until the Declaration of Forfeiture of the said Directory shall have been confirmed either

If Calls are not paid, Directors may sue for them, or declare the Shares to be forfeited.

either at a General Meeting of the said Company or at a Special General Meeting to be called for that Purpose, and to be respectively held after the Expiration of Two Calendar Months at the least from the Day on which such Notice of Forfeiture shall have been given, and the said Company shall have Power to confirm such Forfeiture at such General or Special General Meeting, and to direct the said Directors to dispose of the Shares so forfeited, and the said Directors may in that Case sell the said Shares either by public Auction or by private Contract, and either separately or together, as to them may seem fit.

If the Purchase Money for such Shares shall be more than sufficient to pay the Arrear of Calls, &c. Surplus to be paid to Owners on Demand.

LXXXVIII. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such Share or Shares as shall be forfeited by reason of the Nonpayment of any Call as herein authorized shall be more than sufficient to pay all such Arrears or Calls as aforesaid, and the legal Interest thereon as aforesaid, and the Expences attending the Sale thereof, the Surplus of such Purchase Money shall, on Demand, be paid to the Party to whom such forfeited Share or Shares shall have belonged: Provided also, that the said Company or the said Directors shall not by virtue of this Act sell or transfer more of the Shares of such Defaulter in payment of Calls than shall be sufficient, as near as may be at the Time of such Sale, to pay the Arrears due from such Defaulter for or on account of such Call, and the Interest and Expences attending the same; and from and after Payment of such Call, and the Interest and Expences aforesaid, any Share vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Party to whom such Share shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Call had been duly paid.

Proceedings in Actions for Calls.

LXXXIX. And be it further enacted, That in any Action to be brought by the said Company or by the said Directors against any Proprietor of any Share in the said Undertaking to recover any Money due and payable to the said Company or to the said Directors for or by reason of any Call made by virtue of this Act, it shall be sufficient for the said Company or for the said Directors to declare and allege that the Defendant, being a Proprietor of so many Shares in the said Undertaking, is indebted to the said Company or to the said Directors in such Sum of Money as the Calls in arrear shall amount to for so many Calls of such Sums of Money upon so many Shares belonging to the said Defendant, whereby an Action hath accrued to the said Company or to the said Directors by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant at the Time of making such Calls was a Proprietor of some Share or Shares in the said Undertaking, and that such Calls were in fact made, and that such Notice thereof was given as directed by this Act, without proving the Appointment of the Directors who made such Calls, or any other Matter whatsoever; and the said Company or the said Directors, Plaintiffs therein, shall thereupon be entitled to recover what shall appear due, including Interest computed as aforesaid on such Calls, unless it shall appear that any such Call exceeded in the whole Ten Pounds

Pounds for every Share of One hundred Pounds, or was made within the Distance of Two Calendar Months from the last preceding Call, or that Two Calendar Months had not elapsed between the Day on which the last Instalment of any one Call became due and the Day on which the first Instalment of the succeeding Call became due, or that Calls amounting to more than Thirty Pounds in the whole had been made in that same Year; and in order to prove that such Defendant was a Proprietor of some Share in the said Undertaking as alleged, the Production of the Book in which the Clerk of the said Company is by this Act directed to enter and keep the Names and Additions of the several Proprietors of Shares in the said Undertaking, with the Numbers of Shares they are respectively entitled to hold, and of the Places of Abode of the several Proprietors of the said Undertaking, and of the several Persons and Corporations who shall from Time to Time become Proprietors thereof or be entitled to any Share therein, shall be *primâ facie* Evidence that such Defendant is a Proprietor, and of the Number or Amount of his Shares therein.

Power to close Transfer Books at certain Periods.

XC. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized to close the Books kept for entering Memorials of Transfers of Shares for a Period not exceeding Ten Days before each of the Half-yearly General Meetings of the said Company, and to fix a Day for that Purpose during which Time the said Company shall not be bound to take notice of any Transfer which shall not have been registered previously to the Day fixed for closing the Books; but all such Transfers shall, as between the Party claiming under the same and the said Company, but not otherwise, be considered as made subsequently to such Half-yearly General Meeting: Provided always, that Seven Days Notice at least of the Day on which the Transfer Books shall be closed shall be given in One or more public Newspapers published in *Dublin* and *London*.

In what Manner Subscribers are to vote.

XCI. And be it further enacted, That at all General, Special General, or other Meetings to be convened by virtue of this Act, all Corporations and Persons who shall have duly subscribed for or become entitled to Five Shares in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, shall have One Vote for such Five Shares, and all such Corporations and Persons as aforesaid as shall have subscribed for or become entitled to more than Five Shares in the said Undertaking, their respective Successors, Executors, Administrators, and Assigns, shall, over and above the Vote which they shall respectively have in respect of the first Five Shares, have an additional Vote for every Five Shares which they shall have subscribed for or become entitled to in the said Undertaking beyond the Number of Five Shares, up to but not exceeding Fifty Shares, so that no Person shall have more than Ten Votes in respect of his Interest in the said Undertaking; and such Vote or Votes may be given by such respective Parties, or by their respective Proxies constituted under the Seals of such Corporations, or under the Hands of the other Proprietors appointing such Proxies, all such Proxies being Proprietors of Shares in the said Undertaking, and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if the Principal had voted in Person; and every Question, Matter, and Thing

Thing which shall be proposed in any such Meeting as aforesaid shall be determined by the Majority of Voters and Proxies then present; and at every such Meeting the Chairman thereof shall and may not only vote as a Principal and Proxy, but in case of an Equality of Votes shall and may also have the decisive or casting Vote; and the Appointment of every such Proxy may be made according to the Form following, or as near thereto as the Quality, Nature, and Number of the Appointor or Appointors of the Proxy thereby substituted, and other Circumstances, will admit; that is to say,

Form of Proxy.

'*A.B.* of one of the Proprietors of the Great *Leinster* and *Munster* Railway Company, doth hereby appoint *C.D.* of to be the Proxy of the said *A.B.*, in his Name or otherwise, and in his Absence, to vote, or give his Assent to or Dissent from any Business, Matter, or Thing relating to the said Undertaking which shall be proposed at the Meeting of the Proprietors of the said Company to be held on the Day of next, in such Manner as he the said *C.D.* shall think proper. In witness whereof the said *A.B.* hath hereunto set his Hand [*or* Common Seal] the Day of .'

Limitation of Proxies.

XCII. Provided always, and be it further enacted, That no Person shall be entitled to vote as the Proxy of any Person or Corporation as aforesaid, unless the Instrument appointing such Proxy shall have been transmitted to the Secretary of the said Company Five Days at least before the holding of the Meeting at which such Proxy is intended to be used, and that no Person shall be able at any one Meeting to represent as Proxy more than Five Proprietors of Shares in the said Undertaking.

The Person whose Name stands first as a joint Proprietor with others to be deemed the Owner.

XCIII. And be it further enacted, That whenever several Persons shall be jointly possessed of or entitled to any Share in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share shall for the Purposes of this Act be deemed and taken to be the Proprietor of such Share; and the Vote of such first-named Proprietor, either in Person or Proxy, shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share, without Proof of the Concurrence of the other Proprietors of such Share; and all Notices by this Act directed to be given to the Proprietors of Shares in the said Undertaking shall and may, for or in respect of any such Share so jointly held, be given in the Manner by this Act directed to the Person whose Name shall stand first in the Books of the said Company, and such Notice to such Person shall be deemed and taken to be sufficient Notice to all the Proprietors of such Share for the Purposes for which such Notice is intended to be given.

Lunatics and Minors to vote by Committees and Guardians.

XCIV. And be it further enacted, That in case any Proprietor entitled to vote at such Meetings as aforesaid shall be a Lunatic or Minor, such Lunatic shall or may vote at such Meeting by his Committee or any of his Committees, and such Minor shall and may vote by

by his Guardian or any of his Guardians; provided that every such Committee or Guardian may vote in respect of the Interest of such Lunatic or Minor respectively either in Person or by Proxy, and may also vote in right of his own Shares as well as in the Character of Committee of any Lunatic or of Guardian of any Minor on the same Occasion.

Proprietors in arrear not to vote.

XCV. And be it further enacted, That no Proprietor of any Share on which any Call shall be unpaid shall at any Meeting of the Proprietors of the said Company be allowed to vote either personally or by Proxy until the Money called for in respect of such Share shall have been fully paid.

Shares may be sold.

XCVI. And be it further enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, and their respective Executors, Administrators, and Successors, to sell and dispose of any Shares to which they shall be entitled therein, subject to the Rules and Conditions herein mentioned; and the Form of Conveyance of Shares may be in the following Words or to the like Effect, varying the Names and Descriptions of the contracting Parties as the Case may require:

Form of Conveyance.

'I of in consideration of the
'Sum of paid to me by
'of do hereby assign and transfer to the said
' Share [*or* Shares, *as the Case may be*,] numbered
' of and in the Undertaking called the Great
'*Leinster* and *Munster* Railway Company, to hold unto the said
' his Executors, Administrators, and Assigns
'[*or* Successors and Assigns], subject to the several Conditions on
'which I held the same immediately before the Execution hereof;
'and I the said do hereby agree to accept and take
'the said Share [*or* Shares], subject to the same Conditions. As wit-
'ness our Hands and Seals the Day of .'

Conveyances to be kept by the Clerk, and a Certificate delivered to the Purchaser.

And on every such Sale the Deed or Conveyance (being executed by the Seller and Purchaser of such Share) shall be kept by the Clerk of the said Company, who shall enter in a Book to be kept for that Purpose a Memorial of such Transfer and Sale, and indorse the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Five Shillings shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly, and on Request a Certificate of each Share shall be delivered by him to the Purchaser for his Security, and for which Certificate no more than Two Shillings and Sixpence shall be paid; and until such Memorial shall have been made and entered as above directed such Purchaser shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share paid to him, nor any Vote in respect thereof as a Proprietor of the said Undertaking.

After a Call no Share to be sold until the Call shal be paid.

XCVII. And be it further enacted, That no Person or Corporation shall sell or transfer any Share which he shall possess in the said Undertaking after any Call shall have been made by the said Directors for any

Sum of Money in respect of such Share, unless he at the Time of such Sale or Transfer shall have paid the full Sum of Money which shall have been called for in respect of each Share so to be sold or transferred.

Receipt of One Proprietor of a Share a sufficient Discharge.

XCVIII. And be it further enacted, That the Receipt of the Person or of the Clerk of the Corporation in whose Name, or, as to joint Shares, then of the first-named Person of the Proprietors in whose Names any Shares in the said Undertaking shall stand in the Books of the said Company, shall from Time to Time be a sufficient Discharge to the said Company, or to the Directors or Treasurer for the Time being of the said Company, for any Dividend or other Sum of Money which shall become payable and be paid for or in respect of such Share, notwithstanding any Uses or Trusts upon or to which such Share shall be then settled, conveyed, or assigned, and the said Company shall not be bound to see to the Application of the Money mentioned in such Receipt.

Receipt of the Parent or Guardian of a Minor a sufficient Discharge.

XCIX. And be it further enacted, That in all Cases where Money shall be payable, under the Provisions of this Act, to any Proprietor who shall be a Minor, Idiot, or Lunatic, the Receipt of the Guardian, if any, or if not, then of the Parent of such Minor, or of the Committee of such Idiot or Lunatic, shall be a sufficient Discharge to the said Company and their Treasurer for the same.

Proprietors may raise Money by Mortgage in anticipation of their Capital.

C. And be it further enacted, That when and so soon as the Sum of Four hundred thousand Pounds, in respect of the Money hereby authorized to be raised by Subscription as herein-before mentioned, shall have been actually raised and paid up for the Purposes of this Act, it shall be lawful for the said Company from Time to Time, by an Order of any General or Special General Meeting of the said Company, to borrow and take up at Interest any Sum of Money not exceeding in Amount in the whole the Sum of Two hundred and sixty-five thousand Pounds; and the said Company, after an Order shall have been made for that Purpose at any General or Special General Meeting of the said Company, are hereby empowered to mortgage, assign, and charge the Property of the said Undertaking, and all the future Calls on Shares in the Capital of the said Company, and the Rates, Tolls, and other Sums arising or to arise by virtue of this Act, or any Part thereof, as a Security for any such Money to be borrowed as aforesaid, with Interest, to or for the Benefit of the Party who shall advance the same, or to his Trustee; and a Copy of the Order of any General or Special General Meeting of the said Company, authorizing the borrowing of any such Sum of Money, certified by Three Directors to be a true Copy, shall be sufficient Evidence of the said Sum of Four hundred thousand Pounds, in respect of the Money authorized to be raised by Subscription as aforesaid, having been so raised and paid up for the Purposes of this Act, and of the making of the Order for raising such Sum as herein-before recited: Provided always, that no such Mortgage shall preclude the said Company from receiving and applying to the Purposes of the said Company all the Calls to be made by the said Company so long as the Principal Money due on the Mortgage of the said Undertaking shall not exceed the Amount of all the Calls still remaining to be made; and all such Mortgages, Assignments,

ments, and Charges shall be by Deed duly stamped, in which the Consideration for the same shall be truly stated and specified, and shall be made under the Common Seal of the said Company in the Words or to the Effect following, or with such Variation therein as the Circumstance of the Loan may render necessary; (that is to say,)

Form of such Mortgage.

'Great *Leinster* and *Munster* Railway Company.

'Number

'BY virtue of an Act passed in the Year of the 'Reign of Queen *Victoria*, intituled [*here set forth the Title of 'this Act*], we, the Great *Leinster* and *Munster* Railway Company, 'incorporated by and under the said Act, in consideration of the Sum 'of to us in hand paid by *A.B.* of 'do assign unto the said *A.B.*, his 'Executors, Administrators, and Assigns, the said Undertaking, and 'all future Calls on the Proprietors of the said Undertaking, and all 'and singular the Rates, Tolls, and Sums of Money arising by virtue 'of the said Act, and all the Estate, Right, Title, and Interest of the 'said Company in and to the same, to hold unto the said *A.B.*, his 'Executors, Administrators, and Assigns, until the said Sum of 'together with the Interest for the 'same after the Rate of for every One hundred 'Pounds by the Year, shall be fully paid and satisfied. Given under 'our Common Seal this Day of in the 'Year of our Lord .'

And the respective Parties to whom such Mortgages or Assignments shall be made shall be entitled one with another to their respective Proportions of the said Rates, Tolls, Sums, and Premises, and of the future Calls, according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any Preference by reason of Priority of the Date of any such Order of Meeting, or Priority in Date of such Mortgage or Assignment, or on any other Account whatsoever; and an Entry or Memorial of such respective Mortgages or Assignments, containing the Numbers and Dates thereof, and the Names of the Parties, with their proper Additions, to whom the same shall have been made, and of the Sums borrowed, together with the Rate of Interest to be paid thereon respectively, shall, within Twenty-one Days next after the Date thereof, be entered in some Book to be kept by the Secretary or Clerk of the said Company, which said Book may be perused at all reasonable Times by any of the Proprietors or Mortgagees of the said Undertaking, or other Persons interested therein, without Fee or Reward; and all Parties to whom any such Mortgage or Assignment shall have been made as aforesaid, or who shall be entitled to the Money due thereon, may from Time to Time transfer their respective Rights and Interests therein to any other Person or Persons; and every Transfer thereof shall be by Writing duly stamped, in which the Consideration for such Transfer shall be truly stated and specified, and may be in the Words or to the Effect following; (that is to say,)

Entry of Mortgages to be made by the Clerk.

Mortgages may be transferred.

Form of Transfer of such Mortgage.

'I *A.B.* of in consideration of the Sum of 'paid by *C.D.* of do hereby transfer to the said '*C.D.*, his Executors, Administrators, and Assigns, a certain Mort-

'gage,

'gage, Number made by the Great *Leinster* and
'*Munster* Railway Company, to
'bearing Date the Day of for securing
'the Sum of and Interest, and all my Right, Estate,
'and Interest in and to the Money thereby secured, and in and to
'the Rates, Tolls, Sums of Money, Calls, and Property thereby
'assigned. Dated this Day of in the Year of
'our Lord .'

And every such Transfer shall, within Thirty Days after the Date thereof if executed in *Ireland*, or otherwise within Twenty-one Days after the Date and Execution thereof if executed elsewhere, be produced to the Secretary or Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as of the original Mortgage or Assignment, for which the said Company shall be paid the Sum of Two Shillings and Sixpence; and after such Entry or Memorial made every Transfer shall entitle such Assignee, or his Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon, and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the Mortgage so transferred, or any Money thereon due or thereby secured, or any Part thereof.

Power to increase the Capital Stock by raising the Amount by Shares

CI. And be it further enacted, That in case the said Company, at any Special General Meeting to be called as in this Act is directed, instead of borrowing such additional Sum as aforesaid by way of Mortgage, or continuing the same on Mortgage, shall think it advisable to raise such additional Sum or any Part thereof by way of Augmentation of their Capital Stock, or shall deem it expedient to borrow or continue at Interest only a Part of the said additional Sum by way of Mortgage, and to raise the Remainder thereof, or Part of the Remainder thereof, by way of Augmentation of their Capital Stock, then and in either of the said Cases it shall be lawful for the said Company by the issuing of new Shares to augment the Capital Stock of the said Company by any further Sum or Sums of Money, so as the same, together with any Sum of Money that may be borrowed and continuing at Interest by way of Mortgage as aforesaid, shall not exceed such additional Sum of Two hundred and sixty-five thousand Pounds hereby authorized to be raised as aforesaid; and all such additional Capital Stock, not exceeding such additional Sum as aforesaid, as shall be so raised, shall be considered as Part of the general Capital Stock of the said Company, and be under and subject to the same Provisions, Regulations, Directions, and Management in all respects, and to all Intents and Purposes, as if the same had been Part of the original Capital Stock of the said Company, except as to the Times of making Calls for the said additional Capital Stock, and the Amount of such Calls, which Times and the Amount of such Calls respectively shall from Time to Time be appointed by the said Company: Provided always, that all the Regulations, Provisions, and Authorities herein contained in relation to the Calls for the Capital Stock of the said Company, and to the Recovery thereof, or of any Arrears thereof, and to the Forfeiture of any Sums advanced by reason of any Neglect or Refusal to comply with such Calls, shall be applicable

cable to the Calls for the said additional Sum hereby authorized to be raised or subscribed as aforesaid, or such Part thereof as shall be required to be raised by way of additional Stock as aforesaid, and to the Refusal or Neglect to comply with such last-mentioned Calls.

Power to borrow Money of Exchequer Loan Bill Commissioners, and give Security. 1 & 2 W. 4. c. 24.

1 & 2 W. 4. c. 33.

CII. And be it further enacted, That it shall be lawful for the said Company at any Time or from Time to Time to borrow of the Commissioners for carrying into execution an Act passed in the First and Second Years of the Reign of His late Majesty, intituled *An Act to amend several Acts for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, or from the Commissioners appointed by an Act in the First and Second Years of His said Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, any Sum or Sums of Money, and by Deed under the Common Seal and at the Costs of the said Company to assign and assure to the Secretary for the Time being of the Commissioners who may advance the same, as they shall direct, free from all Incumbrances, the said Undertaking, and all the Works and Property of the said Company, and all Rates, Tolls, Profits, and Receipts accruing and thereafter to accrue to or for the Use of the said Company under or by virtue of the Authority of this Act, or otherwise for securing to the said Commissioners the Repayment of the Amount of the Exchequer Bills to be so borrowed as aforesaid.

Security to Commissioners to have the Priority.

CIII. And be it further enacted, That every Security to be given to the said Commissioners as aforesaid shall not be affected by any Informality in any Meeting or Proceeding of the said Company or the said Directors, and shall have Priority over all other Mortgages, Charges, and Securities whatsoever to be created by the said Company under the Authority of this Act.

Interest of Money borrowed to be paid in preference to Dividends.

CIV. And be it further enacted, That the Interest of the Money which shall be raised by Mortgage, Assignment, or Charge as aforesaid shall be paid half-yearly to the several Persons entitled thereto, and in preference to any Dividends payable by virtue of this Act to the Proprietors of the said Company or any of them; and in case the same Interest or any Part thereof shall be behind or unpaid by the Space of Thirty Days next after the same shall have become due and payable as aforesaid, and the same shall not be paid within Fourteen Days next after Demand thereof in Writing shall have been made to the said Company or left at the Office of the said Company, it shall be lawful for Two or more Justices of the Peace acting for any of the Counties or Places through which the said Railway is intended to pass, not being interested in the Matter in question, and they are hereby respectively required, on Request to them made by or on behalf of any Mortgagee whose Interest shall be so in arrear, by an Order under their Hands to appoint some Person to receive the Whole or such Part of the said Rates, Tolls, or Sums as are liable to pay such Interest so due and unpaid as aforesaid, and the Money so to be received by such Person is hereby declared to be so much Money received by or to

to the Use of the Person to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the Rates, Tolls, or Sums, shall be fully satisfied and paid; and after such Interest and Costs shall have been paid and satisfied the Power and Authority of such Receiver for the Purpose aforesaid shall cease and determine, or otherwise the said Interest so due and unpaid as aforesaid may be sued for and recovered, with Costs, by an Action of Debt in any of Her Majesty's Courts of Record at *Westminster* or in *Dublin*.

Mortgagees not to vote.

CV. Provided always, and be it further enacted, That no Person to whom any such Mortgage or Assignment shall be made shall be deemed a Proprietor of any Share, or shall be capable of acting or voting as such at any Meeting of the said Company, for or on account of his having advanced any Money on such Mortgage or Assignment.

Directors empowered to stipulate Periods for Redemption of Money to be borrowed on Security of Rates.

CVI. And be it further enacted, That when any Sum of Money shall be borrowed at Interest, pursuant to the Powers in that Behalf contained in this Act, it shall be lawful for the said Company, in case they shall in their Discretion think proper so to do, to fix a Period or Periods for the Repayment of the Principal Sums of Money so to be borrowed, with the Interest thereof, and in such Case the said Company shall cause to be inserted in such Mortgage or Assignment the Time or Times which shall be fixed or agreed upon for the Repayment of the Principal Money thereby to be secured; and such Sum of Money, with all Arrears of Interest thereon, shall accordingly be paid at the Time or Times so to be fixed to the Party who shall upon the Expiration of such Period or Periods to be the Holder of and entitled to such Mortgage or Assignment, or his Nominee: Provided nevertheless, that the said Company may at all Times pay off and discharge all such Mortgages or Assignments in which no Time shall be fixed for the Payment thereof, or of any Part of the Money thereby secured, on giving Three Calendar Months Notice by Advertisement in the Manner herein-before directed, and at the Expiration of the said Three Calendar Months all Interest shall cease to be paid on the said Principal Money, unless the said Company shall, on Demand, make default in payment thereof in pursuance of such Notice.

For securing Repayment of Principal Money borrowed.

CVII. And be it further enacted, That in case of Nonpayment of any Principal Sum of Money which shall be secured by any such Mortgage or Assignment as aforesaid by virtue of this Act, or of any Part of such Principal Monies, at the Time or Times when the same ought to be paid, and in case the same shall not be paid within Six Calendar Months next after the same shall be so payable as aforesaid, and after Demand thereof in Writing shall have been made to the said Company, it shall be lawful for Two or more Justices of the Peace acting for any County through which the said Railway will pass, not being interested in the Matter in question, and they are hereby respectively required, on Request to them made by or on behalf of any One or more of the Parties entitled to any such Mortgages or Assignments or Bonds as aforesaid, and to whom any Principal Sums of Money shall be then due thereon and unpaid, amounting

ing together to the Sum of Twenty thousand Pounds, by an Order under their Hands to appoint some Person to receive the Whole or such Part of the said Rates, Tolls, or Sums as are liable to pay such Principal Monies so due and unpaid as aforesaid; and the Money so to be received by such Person is hereby declared to be so much Money received by or to the Use of the Corporations and Persons to whom such Principal Money shall be due, and on whose Behalf such Receiver shall have been so appointed, until the same, together with the Costs and Charges of recovering and receiving the Rates, Tolls, or Sums, and all Interest then due thereon, shall be fully paid and satisfied; and after such Principal, Interest, and Costs shall have been paid and satisfied, the Power and Authority of such Receiver for the Purpose aforesaid shall cease and determine, or otherwise the said Principal Money so due and unpaid as aforesaid may be sued for and recovered from the said Company, with Costs, by an Action of Debt in any of Her Majesty's Courts of Record in *Dublin*.

If Mortgages are paid off, the Company may raise the Amount again.

CVIII. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the said additional Sum of Money herein-before authorized to be raised by Mortgage, Assignment, or Charge, and shall afterwards pay off all or any Part of the Principal Sums secured by such Mortgages, Assignments, or Charges, or any of them, then and in every such Case it shall be lawful for the said Company immediately or at any Time thereafter again to raise in lieu of the Principal Money so paid off by them such Sum of Money as they shall have so paid off, or any less Sum, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any Event borrow upon Mortgage, Assignment, or Charge in such Manner or to such Extent as that more than the Sum of Two hundred and sixty-five thousand Pounds in the whole shall be owing at any Time on Mortgage of or as a Charge upon the said Undertaking, over and above the Amount of Calls for the Time being remaining unpaid and still to be called for by the said Company.

Application of Money to be raised.

CIX. And be it further enacted, That all the Money to be raised by the said Company by virtue of this Act shall be laid out and applied, in the first place, in paying and discharging all Costs and Expences incurred in applying for, obtaining, and passing this Act, and all other Expences preparatory or relating thereto, and the Remainder of such Money shall be applied in and towards purchasing Lands, and making and maintaining the said Railway and other Works, and in otherwise carrying this Act into execution.

First and other General Meetings.

CX. And be it further enacted, That the First General Meeting of the said Company shall be held within Twelve Calendar Months next after the passing of this Act; and from and after such First General Meeting of the said Company there shall be a Half-yearly General Meeting of the said Company in the Second Week of the Month of *February* and the Second Week of the Month of *August* in each and every Year, or within the Space of Twenty-one Days next after each of such Periods, and all such and so many Special General Meetings of the said Company as the Directors of the said

Company shall think proper to convene, or as shall be convened by the Proprietors in manner herein-after provided, of which said General Meetings and Special General Meetings Twenty-one Days public Notice at the least shall be given in the Manner herein-after directed; and every such Notice of a Special General Meeting shall specify the Purpose for which any such Special General Meeting is called, and such General Meeting and Special General Meetings shall be held at such Places as the Directors for the Time being of the said Company shall appoint, and such General Meetings and Special General Meetings may be adjourned from Time to Time, all Adjournments being made to the same Place where the original or preceding Meeting shall have been held.

Meetings of Proprietors may be specially convened.

CXI. And be it further enacted, That Thirty or more Proprietors of the said Company holding in the aggregate One thousand Shares or upwards in the said Undertaking upon which all Calls actually previously made shall have been paid and satisfied may at any Time, by Writing under their Hands left at the Office of the said Company, require the Directors of the said Company to call a Special General Meeting of the Proprietors of the said Company, so as such Requisition fully express the Object for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Thirty Days after such Notice given as aforesaid the same may be called by such Thirty or more Proprietors by giving Thirty Days Notice thereof in Two *London* and Two *Dublin* Newspapers, and the said Company are hereby authorized to meet in pursuance of such Notice; and such of the Proprietors thereof as shall be present at such Meeting shall proceed to the Consideration of the Matters so specified in such Notice, and all Acts of the major Part in Votes of the Proprietors of the said Company met together at any such Special General Meeting shall be as valid, with respect to the Matters specified in such Notice, as if the same had been done at a General Meeting held at the Time hereinbefore appointed for holding the same.

Notice of Meetings how to be given.

CXII. Provided always, and be it further enacted, That all Notices in this Act directed to be given of any General or Special General Meeting of the Proprietors of the said Company or of any other Matters to any of the Proprietors of the said Company, and not herein otherwise provided for, shall be signed by the Chairman or Deputy Chairman of the Directors of the said Company, or in case such Special General Meeting shall be called by the Proprietors as aforesaid, then by at least Thirty of such Proprietors, and shall be given by Advertisement in Two *London* and Two *Dublin* Newspapers; and such Notices, when so published and given, shall be deemed and considered the same as personal Notices.

Business at Special and adjourned General Meetings.

CXIII. And be it further enacted, That no Business shall be transacted at any Special General Meeting other than the Business for which it shall have been called, and no Business shall be transacted at any adjourned General Meeting or Special General Meeting other than the Business left unfinished at the Meeting from which such Adjournment took place, and that no Business shall be transacted at any

any adjourned or Special General Meeting unless Twenty Proprietors holding together at least Two hundred and fifty Shares in their own Right shall be present.

General Meetings for choosing Directors and Auditors to consist of at least 20 Persons possessed of 250 Shares.

CXIV. Provided always, and be it further enacted, That if at any such General Meeting there shall not, within Two Hours from the Time appointed for such Meeting, be Twenty Persons present who shall be possessed of or entitled to at least Two hundred and fifty Shares in the said Undertaking in the aggregate, no Choice of Directors shall be made, nor shall any Business be transacted, but in such Case there shall be another Meeting of the said Company at the same Place at the Expiration of Seven Days then next, and if such sufficient Number of Proprietors shall not attend thereat such Meeting shall stand adjourned to the Seventh Day next following, and so from Time to Time as often as the same shall happen until at some Adjournment of such General Meeting there shall be a sufficient Number of Proprietors present, when, and not before, the Meeting shall proceed to Business, and the Directors for the Time being shall continue to act and have the same Powers as they had and were possessed off until new Directors shall be appointed as aforesaid.

Nomination and Service of Directors.

CXV. And be it further enacted, That *Henry Bainbridge*, *Thomas Barnewall*, *Peter Gale*, *George La Touche*, *John Maher*, *Thomas Mooney*, *Richard Preston Prichard*, *Owen Ryan*, *Benjamin Roberts Shaw*, *Edward Stewart*, *Francis White*, and *Francis Wilson* shall be and they are hereby appointed the first or present Directors of the said Company under this Act; and at the General Meeting to be held in the Month of *February* One thousand eight hundred and forty Three of the said Directors, to be determined respectively by Lot or among themselves, shall go out of Office and cease to be Directors of the said Company, and an equal Number of Persons, who shall be Proprietors and respectively possessed in their own Right of Ten Shares at the least in the said Undertaking, shall be elected by the said Company to be Directors in the Place and Stead of the Directors so going out of Office as aforesaid; and at the General Meeting to be held in the Month of *February* One thousand eight hundred and forty-one Three other of the Directors who shall have been so primarily appointed as aforesaid (to be determined by Lot or among themselves) shall go out of Office and cease to be Directors of the said Company, and their Places to be supplied in like Manner; and at the General Meeting to be held in the Month of *February* One thousand eight hundred and forty-two Three other of the Directors who shall have been so primarily appointed as aforesaid (to be determined by Lot or among themselves) shall go out of Office, and their Places be supplied in like Manner; and at the General Meeting to be held in the Month of *February* One thousand eight hundred and forty-three the Remainder of the Directors who shall have been so primarily appointed as aforesaid shall go out of Office and cease to be Directors of the said Company, and their Places be supplied in like Manner; and at the General Meeting to be held in the Month of *February* in every subsequent Year Three of the Directors who shall have been longest in Office shall go out of Office and cease to be Directors of the said Company, and their Places be supplied in like Manner.

CXVI. And

Power to appoint additional Directors.

CXVI. And be it further enacted, That it shall be lawful for the Directors hereby appointed, at any one of their usual Meetings to be held within Twelve Calendar Months next after the passing of this Act, to elect from amongst the Proprietors of the Company possessed in their own Right respectively of Ten Shares in the said Undertaking, Four additional Directors of the said Company; and in case the said Directors hereby appointed shall think it advisable so to increase the Number of the Directors of the said Company, then Four Directors of the said Company, to be determined by Lot or among themselves, shall go out of Office on the Days herein-before mentioned instead of Three Directors as herein-before provided, and the Places of such Four Directors shall be supplied in the same Manner as is herein-before provided for supplying the Vacancy occasioned upon the rotary Retirement of Three Directors of the said Company.

Directors going out of Office to be re-eligible.

CXVII. Provided always, and be it further enacted, That every Director who shall as aforesaid go out of Office on any annual Day of Election may be immediately or at any future Time re-elected by the said Company a Director of the said Company, and he shall upon such Re-election be considered a new Director of the said Company.

No Person holding Office shall be capable of being a Director.

CXVIII. Provided always, and be it further enacted, That no Person holding any Office, Place, or Employment, or being concerned or interested in any Contract under the said Company, shall be capable of being chosen, or being so chosen of continuing a Director of the said Company, and no Person during such Time as he shall be such Director shall be capable of taking any Office or any Contract under the said Company.

For supplying Vacancies in Direction.

CXIX. And be it further enacted, That when and so often as any Director appointed under or elected by virtue of this Act shall die, or shall resign, or shall become disqualified or incompetent to act, or shall cease to be a Director by any other Cause than that of going out of Office in manner as aforesaid, it shall be lawful for the remaining Directors to elect some other Proprietor duly qualified to be a Director, and every such Proprietor so elected to fill up any such Vacancy shall continue in Office so long only as the Person in whose Place or Stead he may be elected would have been entitled to continue had he lived and remained in Office.

Chairman and Deputy Chairman to be appointed.

CXX. And be it further enacted, That at the First Meeting of Directors which shall be held after the passing of this Act, and at the First Meeting of Directors which shall be held next after the Election of Three Directors in the Place of the like Number of Directors hereby required to go out of Office in manner as aforesaid, the Directors present at such Meeting of Directors shall choose out of the Directors of the said Company a Chairman and Deputy Chairman of the said Directors: Provided always, that when and so often as the Chairman or Deputy Chairman to be chosen by virtue of this Act shall die, or resign, or become disqualified to act, or otherwise cease to be a Director, it shall be lawful for the Directors in like Manner, at the Meeting to be held next after such Vacancy, to choose some other of the said Directors to be Chairman or Deputy Chairman; and every such

such Chairman or Deputy Chairman so to be chosen as last aforesaid to fill such Vacancy shall continue in his Office so long only as the Person or Persons in whose Place or Stead he may be so elected would have been entitled under the Provisions of this Act to continue if such Death, Resignation, Disqualification, or Cesser had not happened.

At Meetings of the Company the Chairman or Deputy Chairman to preside.

CXXI. And be it further enacted, That at all General and Special General Meetings of the said Company the Chairman of the said Directors, or in his Absence the Deputy Chairman of the said Directors, or in his Absence any of the Directors of the said Company, to be chosen at any such Meeting, or in the Absence of all the Directors any Proprietor to be chosen at such Meeting, shall preside as Chairman, and which Chairman shall, in case of an Equality of Votes on any Question, be entitled to the decisive or casting Vote.

Powers and Duties of Directors.

CXXII. And be it further enacted, That the principal Office or Place of Meeting of the said Directors for the Management of the said Company shall be at any Place to be chosen by them in the City of *London* or *Westminster*; that the said Directors shall superintend all the Affairs thereof, and have the Custody of the Common Seal of the said Company, with Power to use the same on their Behalf, and also the Custody of the Books of Accounts, and other Books, Deeds, and Papers, and shall have Power to direct the Investment, calling in, and laying out, Sale and Disposal, of the Stock, Effects, Funds, Money, and Securities of the Company, and all other the Dealings of the said Company, and shall have full Power and Authority to do all Acts whatsoever for carrying into effect the Purposes of this Act, and for the Management, Regulation, and Direction of the Affairs of the said Company, or relative thereto, which the said Company are by this Act authorized to do, except such as are herein required and directed to be done at some General or Special General Meeting of the said Company; and the said Directors shall appoint and displace all the Officers and Servants of the said Company, and to allow to them such Salaries, Gratuities, or Recompences as to the said Directors shall seem proper; and the said Directors shall have Authority to frame Rules and Regulations, and prescribe the Orders and Directions for carrying on the Business and Concerns of the said Company, and alter and vary the same from Time to Time as they in their Discretion shall think fit; and all such Rules and Regulations shall have the Force of Bye Laws, provided the same be not repugnant to any of the Provisions of this Act, nor to any Bye Law which may have been duly passed at any General or Special Meeting of the Proprietors of the said Company; and the said Directors shall meet and adjourn from Time to Time and from Place to Place as they shall think proper, and shall and may pay and allow all necessary and proper Expences incurred by them or any of them for or on account of their going to or from Place to Place, whether from *England* to *Ireland* or from *Ireland* to *England*, on the special Business of the said Company, and sanctioned by the said Directors, and so that there be Five Directors at the least present in order to constitute a Meeting; and all Questions, Matters, and Things which shall be discussed or considered at any Meeting of the Directors shall be finally determined by the Majority of Votes then present; and no Director shall have

have more than One Vote at any such Meeting except the Chairman of such Meeting, who, in case of an equal Division, shall have a second or casting Vote as such Chairman; and the said Directors shall keep a regular Minute and Entry of their Proceedings at every Meeting of the said Directors, and from Time to Time make a Report thereof to the said Half-yearly General Meetings, and (if required) to the Special General Meetings of the said Company, and shall obey their Orders and Directions; and the said Directors shall also keep full and true Accounts of all Monies disbursed and Payments made by the said Directors, and by all Persons employed by or under them, and of all Money which they shall receive on behalf of or in respect of such Undertaking from any Collector of the Rates, Tolls, or Sums by this Act granted, or from any other Officer or Person employed in or having any Concern, Dealing, or Transaction with the said Undertaking, or from any other Person, or on any Account, for the Use of the said Company, and shall regularly enter into Books, to be from Time to Time provided at the Expence of the said Company for that Purpose, Notes, Minutes, or Copies, as the Case shall require, of such Appointments, Receipts, and Disbursements, and of all Contracts and Bargains entered into or made by them, and of other their Orders and Proceedings, and which Books shall be deposited with and kept under the Care and Direction of the said Directors: Provided also, that the said Directors shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Company, and from every Receiver, Collector, or Officer of the said Company who shall have the Custody or Control of any Money received by virtue of this Act, for the faithful Execution of his Office, before he shall enter thereupon.

Power to Directors to appoint Sub-Committees.

CXXIII. And be it further enacted, That it shall be lawful for the said Directors from Time to Time to nominate and appoint out of their own Body a Sub-Committee or Sub-Committees, each such Sub-Committee not to consist of less than Three Persons, who shall have full Power and Authority to enter into and make any Contracts or Agreements on behalf of the said Company, and to hire and employ any Agents, Surveyors, Workmen, or Servants in or about the said Undertaking which the said Directors shall from Time to Time think proper to intrust to the Care and Management of such Sub-Committee or Sub-Committees respectively (save and except nevertheless the making of Calls of Money upon the Proprietors of the said Undertaking); and it shall be lawful for the said Directors, by an Order or Resolution for that Purpose, to break up and dissolve any such Sub-Committee or Sub-Committees which shall have been appointed by them, or to remove and displace any Member or Members of such Sub-Committee or Sub-Committees respectively, and to appoint another or others in his or their Place and Stead, when and as often as such Directors shall think proper, and to allow to such Sub-Committee or Sub-Committees such Remuneration as the said Directors shall think proper; and such Sub-Committees respectively shall have Power to meet from Time to Time and to adjourn from Place to Place as they shall think proper, and as Occasion shall require, for effecting the Purposes aforesaid; and at all Meetings of the said Sub-Committees one of the Members present shall be appointed

Chairman, who shall be entitled to vote on all Questions, and in case of an equal Division of Votes upon any Subject entertained by the said Sub-Committee shall have an additional or casting Vote; and every such Sub-Committee shall keep a Record of their Proceedings at every Meeting of the same, which shall be signed by the Chairman thereof, and shall be transmitted to the said Directors from Time to Time so often as it shall be required.

Contracts to be signed by Three Directors.

CXXIV. And be it further enacted, That all Contracts in Writing relating to the Affairs of the said Company, which shall be signed by any Three of the Directors of the said Company at any Meeting of the Board of Directors, shall be binding on the said Company and all other Parties thereto, their respective Successors, Heirs, Executors, and Administrators, and Actions and Suits may be maintained thereon, and Damages and Costs recovered by or against the said Company, or any of the other Parties thereto failing in the Execution thereof.

Orders and Proceedings to be entered in a Book.

CXXV. And be it further enacted, That the Orders and Proceedings of all Meetings, as well General as Special, of the said Company and of the said Directors, shall be entered in some Book or Books to be provided and kept for that Purpose, and shall be signed by the Chairman of such respective Meetings; and such Orders and Proceedings when so entered and signed shall be deemed original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others, and that without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Proprietors or being Directors, as the Case may be.

Directors to cause Accounts to be kept.

CXXVI. And be it further enacted, That the said Directors shall cause a Book or Books to be kept by a Book-keeper who shall be expressly appointed by the said Directors for that Purpose, and who shall enter or cause to be entered in the said Book or Books true and regular Accounts of all Sums of Money received and expended for or on account of the said Undertaking, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of the respective Loan Creditors for Money advanced and lent for the Purposes of this Act without Fee or Reward, and the said Loan Creditors or any of them may take Copies or Extracts from the said Book or Books without paying any thing for the same; and in case the said Book-keeper shall refuse to permit or shall not permit such Loan Creditors or any of them to inspect such Book or Books, or to take such Copies or Extracts as aforesaid, such Book-keeper shall forfeit and pay for every such Offence any Sum of Money not exceeding Twenty Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

No Person to hold the Offices of Secretary or Clerk and

CXXVII. Provided also, and be it further enacted, That it shall not be lawful for the said Directors to appoint any Person who may be appointed a Secretary or Clerk in the Execution of this Act, or the Partner of such Secretary or Clerk, or any Person in the Service or

Employ of such Secretary or Clerk or of his Partner, to be a Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Person in the Service or Employ of such Treasurer or of his Partner, to be the Secretary or Clerk of the said Company for the Purposes of this Act; and if any Person shall accept both the Offices of Secretary or Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Secretary or Clerk, or in the Service or Employ of such Secretary or Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Secretary or Clerk in the Execution of this Act, or shall act as Deputy of such Secretary or Clerk, or in any Manner officiate for such Secretary or Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record in *Dublin* or at *Westminster*.

Treasurer at the same Time.

CXXVIII. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act shall from Time to Time, when thereunto required by the said Company or by the Order of the Directors thereof for the Time being, make out and deliver to the said Company or to the said Directors, or to such Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under his Hand of all Monies which shall have been by him received by virtue of this Act, and such Account shall state how and to whom and for what Purpose the same shall have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of Account shall appear to be owing from him to the Treasurer of the said Company, or to such Persons as the said Directors shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required in manner aforesaid, or shall refuse or neglect to deliver up to the said Company or Directors, or to such Persons as they shall appoint, within Fourteen Days after being thereunto required by the said Company or by the said Directors or by such other Persons as last aforesaid, all Books, Papers, and Writings in his Possession or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Directors or by any Person on their Behalf to any Justice of the Peace for the County wherein any such Person may then be, such Justice may and he is hereby required by Warrant under his Hand and Seal to cause such Officer or Person to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Company might have done; and if upon the Confession of the

Officers to account.

the Officer or Person against whom such Account shall be made, or by the Oath of any credible Witness, or by the solemn Affirmation of any Person being a Quaker, it shall appear to such Justice that any of the Monies which shall have been collected and received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person, and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby required by Warrant under his Hand and Seal to commit such Officer or Person to some Common Gaol or House of Correction of the County or Place within which such Justice may have Jurisdiction, there to remain without Bail or Mainprize until he shall have made out and delivered up the Vouchers and Receipts (if any) relating thereto, and have delivered up such Books, Papers, and Writings (if any) as aforesaid, and shall have paid all the Money which shall appear to be in the Hands of or owing from him, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he shall have compounded with the said Company for such Money and Charges, and have paid the Composition Money to the said Company (and which Composition the said Company are hereby empowered to make), or have given Satisfaction in respect of such Vouchers, Receipts, Books, Papers, and Writings to the said Company: Provided always, that no Person who shall be committed for Want of such sufficient Distress only shall be detained in Prison for any longer Space of Time than Three Calendar Months.

Company empowered to make Bye Laws.

CXXIX. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time at any General or Special General Meeting to make such Bye Laws, Orders, and Rules as to them shall seem expedient for the good Government of the Officers and Servants of the said Company, and for regulating the Proceedings and remunerating and reimbursing the Expences of the said Directors, and for the Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter or repeal such Bye Laws, Orders, and Rules, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same as to the said Company shall seem meet, not exceeding the Sum of Five Pounds for any one Offence, such Fines and Forfeitures to be levied and recovered as any Penalty may by this Act be levied and recovered; which said Bye Laws, Orders, and Rules shall be reduced into Writing under the Common Seal of the said Company, and printed and published; and such of the Bye Laws, Orders, and Rules as shall subject any Person not being a Proprietor to any Fine or Penalty shall

shall be painted on Boards, and hung up and affixed and continued on the Front or other conspicuous Part of the several Toll Houses to be erected on the said Railway, and other Buildings or Places at which any Rates or Tolls shall be collected or paid under the Authority of this Act, and shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated or destroyed; and such Bye Laws, Orders, and Rules shall be binding upon and be observed by all Parties, and shall be sufficient in all Courts of Law or Equity to justify all Persons who shall act under the same, provided that such Bye Laws, Orders, and Rules be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, or to any Directions in this Act contained; and all such Bye Laws, Orders, and Rules shall be subject to Appeal in manner herein-after mentioned.

Accounts to be made up half-yearly.

CXXX. And be it further enacted, That the said Company or the Directors of the said Company shall and they are hereby required to cause a true and particular Account to be kept, and to be made up twice in every Year, (that is to say,) on the First Day of *January* and the First Day of *July*, of the Money received by or for the Use of the said Company by virtue of this Act, and of the Charges and Expences attending the making, maintaining, and carrying on the said Undertaking, and of all other the Receipts and Expenditure of the said Company up to those Periods respectively, which Account shall be laid before the Half-yearly General Meeting of the said Company herein-before directed to be held in the Months of *February* and *August* respectively, and which Account shall also be produced to any Proprietor who shall require to be allowed to examine or inspect the same at any Time within Ten Days prior to the Day of such Half-yearly General Meeting: Provided always, that if the Account so to be laid before any Half-yearly General Meeting shall not be considered satisfactory by such Meeting, then and in such Case the said Meeting shall have Power to appoint a Committee of Inspection, to consist of Seven Proprietors, each of whom shall hold at least Thirty Shares in the said Undertaking, who shall examine into such Account, and report thereon to a future Meeting of the said Company to be held for that Purpose by Adjournment or otherwise; and for the Purpose of such Examination the said Directors shall, on Demand, at all convenient Times cause to be produced to the said Committee or any Three Members thereof all Books of Account, Vouchers, and Documents in the Possession or Power of the said Directors relating to the Affairs of the said Company.

Dividends to be declared.

CXXXI. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered from Time to Time, at any Half-yearly General Meeting or at a Special General Meeting to be called for that Purpose, to declare and make a Dividend out of the clear Profits of the said Undertaking, if the Majority of the Proprietors present at such Meeting shall think proper so to do, and such Dividend shall be after the Rate of so much *per* Share upon the several Shares held by the Members of the said Company in the Joint Stock thereof: Provided always, that such Dividends shall not be made oftener than half-yearly; and no Dividend shall be made ex-

ceeding the net Amount of the clear Profit at the Time being in the Hands of the said Company, nor whereby the Capital of the said Company shall in any degree be reduced or impaired, nor shall any Dividend be paid in respect of any Share after a Day appointed for Payment of any Call of Money in respect thereof until such Call shall have been paid.

Railway to be free on Payment of Rates, &c.

CXXXII. And be it further enacted, That all Persons shall have free Liberty to pass along and upon and to use and employ the said Railway with Carriages properly constructed as by this Act directed, upon Payment only of such Rates and Tolls as shall be demanded by the said Company, not exceeding the respective Rates or Tolls by this Act authorized, and subject to the Rules and Regulations which shall from Time to Time be made by the said Company or by the said Directors by virtue of the Powers to them respectively by this Act granted.

Rates of Tonnage to be taken.

CXXXIII. And be it further enacted, That it shall be lawful for the said Company from Time to Time and at all Times hereafter to demand, receive, and recover, to and for the Use and Benefit of the said Company, for the Tonnage of all Articles, Matters, and Things which shall be carried or conveyed upon or along the said Railway, or upon or along any Part thereof, any Rates or Tolls not exceeding the following; (that is to say,)

For Lime to be used as Manure, and also Dung, Compost, or other Manure, and for Materials for the Repair of public and private Roads and Highways, the Sum of One Penny *per* Ton *per* Mile:

For Coal, Lime, Limestone to be used otherwise than as Manure, Coke, Culm, Turf, Charcoal, Cinders, Building, Pitching, and Paving Stone, dressed, Bricks, Tiles, Slates, Sand, Clay, Fullers Earth, Ironstone, Iron Ore, Pig, Bar, Rod, Hoop, Sheet, and all other similar Descriptions of wrought Iron and Castings not manufactured into Utensils or other Articles of Merchandize, the Sum of Three Halfpence *per* Ton *per* Mile:

For Sugar, Corn, Grain, Flour, Dyewoods, Timber, Staves, Deals, Earthenware, Metals (except Iron), Nails, Anvils, Vices, and Chains, the Sum of Four-pence *per* Ton *per* Mile:

For all Cotton and other Wools, Hides, Drugs, manufactured Goods, and all other Wares, Merchandize, Articles, Matters, and Things, the Sum of Three-pence *per* Ton *per* Mile.

Tolls on Carriages.

CXXXIV. And be it further enacted, That it shall be lawful for the said Company, from Time to Time and at all Times hereafter, to demand, receive, and recover, to and for the Use and Benefit of the said Company, for and in respect of Passengers, Beasts, Cattle, and Animals conveyed in Carriages upon the said Railway, and for and in respect of Coaches, Chariots, Chaises, Carts, Gigs, Waggons, and other Carriages using the same, any Tolls not exceeding the following; (that is to say,)

For every Person conveyed in or upon any such Carriage, the Sum of Two-pence *per* Mile:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, carried in or upon any such Carriage, the Sum of Two-pence *per* Mile:

For every Calf, Sheep, Lamb, or Pig, or other small Animal, carried in or upon any such Carriage, the Sum of One Penny *per* Mile:

For every Carriage of whatever Description, 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, the Sum of Sixpence *per* Mile.

What Toll shall be demanded when Fractions of a Ton or a Mile occur.

CXXXV. And be it further enacted, That in all Cases where there shall be a Fraction of a Ton a Proportion of the said Rates or Taxes may be demanded and taken for such Fraction according to the Number of Quarters of a Ton contained therein, and where there shall be a Fraction of a Quarter of a Ton, such Fraction shall be deemed and considered as a full Quarter of a Ton; and in all Cases where there shall be a Fraction of a Mile in the Distance which any Waggon, Cart, or Carriage shall pass upon the said Railway the Rates of Tonnage or Toll which shall be demanded and taken shall be after the Rate of the Number of Quarters of a Mile which the said Waggon, Cart, or other Carriage shall have passed, and where there shall be a Fraction of a Quarter of a Mile such Fraction shall be deemed and considered as a full Quarter of a Mile; and in order to ascertain and calculate with greater Precision and Facility the Distance for which such Rates or Tolls shall be demanded and taken upon the said Railway the said Company shall cause the said Railway to be measured, and Stones or other conspicuous Marks, with proper Inscriptions thereon, to be set up and maintained at the Distance of One Quarter of a Mile from each other.

Company may carry Passengers, Cattle, and Goods.

CXXXVI. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized, if they shall think proper, to use and employ locomotive Engines or other moving Power, and Carriages or Waggons drawn or propelled thereby, to carry and convey upon the said Railway all such Passengers, Cattle, and other Animals, Goods, Wares, and Merchandize, Articles, Matters, and Things, as shall be offered to them for that Purpose, and to make such reasonable Charges for such Conveyance as they may from Time to Time determine upon, in addition to the several Rates or Tolls herein-before authorized to be charged and received: Provided always, that it shall not be lawful for the said Company, or for any Persons using the said Railway as Carriers, to charge for the Conveyance of any Passenger upon the said Railway any greater Sum than the Sum of Three-pence *per* Mile, including the Rate or Toll herein-before granted.

Packages containing Goods of a dangerous Quality to be marked.

CXXXVII. And for the better preventing of Accidents or Injuries which might arise on the said Railway and Works from the unsafe and improper Carriage of certain Goods and Merchandize upon the same, be it further enacted, That every Person who shall send or cause to be sent by the said Railway any Aquafortis, Oil of Vitriol, Gunpowder, or any other Goods whatsoever of a dangerous Quality, shall distinctly mark or state the Nature of such Goods on the

the Outside of the Package containing the same, or shall otherwise give Notice in Writing to the Book-keeper or other Servant of the said Company with whom the same shall be left at the Time of so sending or causing the said Goods to be sent, on pain of forfeiting for every Default herein the Sum of Ten Pounds: Provided always, that the said Company shall not be compelled or compellable to carry upon the said Railway any Gunpowder or other Goods which in the Judgment of the Directors of the Company shall be of a dangerous Character, and it shall be lawful also for the said Company or the said Directors thereof to restrain any other Persons from carrying thereon Gunpowder, or such other Goods as aforesaid.

Passengers may carry Luggage without extra Charge.

CXXXVIII. And be it further enacted, That without extra Charge it shall be lawful for every Passenger travelling upon or along the said Railway to take with him his Articles of Clothing not exceeding Thirty Pounds in Weight and Four Cubic Feet in Dimensions, and the said Company shall in no Case be in any way liable or responsible for the safe Carriage or Custody of or for any Loss or Injury to any Articles, Matters, or Things whatsoever carried upon or along the said Railway with or accompanying the Person of or belonging to any Passenger, or delivered for the Purpose of being carried, other than and except such Passenger's Articles of Clothing not exceeding the Weight and Dimensions aforesaid: Provided always, that nothing herein contained shall in any Case extend or be deemed or construed to extend to charge or make liable the said Company further or in any other Case than where, according to the Laws of this Realm for the Time being, Stage Coach Proprietors and Common Carriers would be liable, nor shall any thing herein contained extend or be deemed or construed to extend in any degree to deprive the said Company of any Protection or Privilege which either now or at any Time hereafter Common Carriers or Stage Coach Proprietors have or may have, but the said Company shall from Time to Time and at all Times have and be entitled to the Benefit of every such Protection and Privilege.

Company empowered to provide and charge for locomotive or other propelling Power.

CXXXIX. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to provide locomotive Engines or other Power for the drawing or propelling of any Articles, Matters, or Things, Persons, Cattle, or Animals, upon the said Railway, and to receive, demand, and recover such Sums of Money for the Use of such Engines or other Power as the said Company shall think proper, in addition to the several other Rates, Tolls, or Sums by this Act authorized to be taken.

Act not to prevent the Company from hiring locomotive Engines.

CXL. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to prevent the said Company from making any Agreement with any Person for the Hire or Use of any locomotive Engines or of any Carriage, and to charge for the same such reasonable Sum as may be agreed on between the said Company and such Person, any thing herein contained to the contrary thereof notwithstanding.

CXLI. And

Locomotive Engines to consume their own Smoke.

CXLI. And be it further enacted, That the Boiler of every locomotive Steam Engine to be used upon the said Railway shall be constructed upon the Principle of consuming its own Smoke, under a Penalty of Five Pounds for every Time at which any such Engine not constructed in manner aforesaid shall be used on the said Railway, to be recovered in a summary Way by the Order and Adjudication of Two or more Justices of the Peace, on Complaint to them for that Purpose made, in the same Manner as other Penalties and Forfeitures (for the Recovery whereof no special Directions are given) are by this Act directed to be recovered; one Half of which Sum, as often as the same shall be recovered, shall be paid to the Informer, and the other Half to the Churchwardens of the Parish or Place where such Offence shall be committed, for the Benefit of the Poor of such Parish or Place.

Company may fix Rates for small Parcels.

CXLII. And be it further enacted, That it shall be lawful for the said Company from Time to Time, at any General or Special General Meeting of the said Company, to make such Orders for ascertaining and fixing the Price or Sum to be charged or taken by the said Company for the Carriage of any Parcel not exceeding Five hundred Pounds Weight upon the said Railway or upon any Part thereof, and from Time to Time to repeal or vary the same as to them shall seem proper.

Regulating the Charge for short Distances.

CXLIII. And be it further enacted, That in all Cases where any of the above-mentioned Articles, Matters, Persons, or Things shall be conveyed on the said Railway for a less Distance than Six Miles, the said Company are hereby empowered to demand and receive the afore-mentioned Rates or Tolls, as the Case may be, for Six Miles, exclusive of a reasonable Charge for the Expence of loading and unloading the same in Cases where the loading and unloading shall be done by the said Company, and which Charge the said Company are hereby authorized to make.

Company empowered to levy Rates for Wharfs, &c.

CXLIV. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, to levy, for the Use and Occupation of any Wharfs, Yards, Messuages, Warehouses, and other Buildings and Conveniences of the said Company, such Dues, Rents, or Sums of Money as may from Time to Time be agreed upon between the Persons using or occupying the same and the said Company, and also to detain all such Goods, Wares, Merchandizes, or other Things which in pursuance of such Agreement may have been deposited or lodged in or upon such Wharfs, Yards, Messuages, Warehouses, and other Buildings until the Rate or Sum which may be due in respect of the same for Wharfage and Warehouse Room under the Provisions of this Act shall have been paid.

Power to alter the Rates or Tolls.

CXLV. And be it further enacted, That it shall be lawful for the said Company at any General or Special General Meeting, or for the Directors of the said Company for the Time being, from Time to Time as they shall think fit, to reduce all or any of the Rates or Tolls by this Act authorized to be taken, and afterwards from Time to Time again

again to raise the same or any of them, so that the same respectively shall not at any Time exceed the Amount by this Act authorized.

Rates to be charged equally.

CXLVI. Provided always, and be it further enacted, That, except as herein otherwise provided, the Rates or Tolls and Charges to be taken and made for the Use of the said Railway, or for the Carriage of any Passengers, Goods, Animals, or other Matters or Things to be conveyed by the said Company, or for the Use of any Steam Power or Carriage to be supplied by the said Company, shall be at all Times charged equally to all Persons, and after the same Rate *per* Mile or *per* Ton *per* Mile, or after any other Manner in which such Rates and Charges are herein directed or authorized to be taken or charged, throughout the whole of the said Railway, in respect of all Passengers, and of all Goods, Animals, or Carriages of a like Description, and conveyed or propelled by a like Carriage or Engine; and no Reduction or Advance in any of the Rates or Tolls herein-before allowed, or in any Charge for Conveyance by the said Company, or for the Use of any locomotive Power to be supplied by them, shall be made either directly or indirectly in favour of or against any particular Company or Person, or be confined to any particular Part of the said Railway; but every Reduction or Advance in any Rate, Toll, or Charge to be taken by the said Company in respect of Passengers, or any Description of Goods, Carriages, or Animals carried on the Railway, or for the Use of any Carriage or locomotive Power, shall extend to and take place at the same Time throughout the whole and every Part of the said Railway in respect of such Passengers, Goods, Carriages, Animals, or locomotive Power, as the Case may be.

Tables of Tolls to be set up.

CXLVII. Provided always, and be it further enacted, That the said Company shall cause to be painted on Boards, and affixed and continued, and renewed as often as the same shall be obliterated or altered or defaced, to or upon every Toll House or Building at which any of the Tolls or Rates by this Act authorized shall be collected or received, in some conspicuous Place, in large and legible Characters, an Account or List of the several Rates and Tolls or Sums which the said Company shall from Time to Time direct and appoint to be taken, and which shall be payable by virtue of this Act; and in case any Owner or Master of a Person having or assisting in the Charge of any Waggon or other Carriage passing upon the said Railway, or any Collector of the Rates, Tolls, or Sums aforesaid, shall, after and whilst such Account or List shall be affixed as aforesaid, demand or take more than the Amount thereon specified, such Owner, Master, Collector, or other Person as aforesaid shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

No Tolls to be taken unless Tables are set up.

CXLVIII. Provided also, and be it further enacted, That it shall not be lawful for the said Company to demand or take any Rates or Tolls or Sums for or in respect of any Article, Matter, or Thing, or any Carriage, Passenger, Horse, Beast, or Cattle, but during such Time as the Board on which such Rates, Tolls, or Sums shall be so painted as aforesaid shall remain affixed to such Toll House or Building at which the same shall be received.

CXLIX. And

Penalty for damaging Table of Tolls.

CXLIX. And be it further enacted, That if any Person shall wilfully pull down, deface, or destroy any Board whereon any Rules or Orders, Bye Law, Rates, Tolls, or Sums shall have been painted as aforesaid, or any Stone or Post on which shall be described or painted the Distance from Place to Place, or shall concur or aid therein, he shall on Conviction forfeit and pay a Sum not exceeding Forty Shillings for every Offence.

Toll Collectors to place up their Christian and Surname.

CL. And be it further enacted, That every Toll Collector shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll House or other Building whereat he shall be on Duty immediately on his coming on Duty, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Collector of the said Rates, Tolls, or Sums shall not place such Board as aforesaid, and keep the same there during the Time he shall be on Duty as aforesaid, or shall demand or take a greater or less Rate, Toll, or Sum from any Person than he shall be authorized to do by virtue of the Powers of this Act or of the Orders of the said Company made in pursuance thereof, or shall demand or take a Rate, Toll, or Sum from any Person who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or shall not permit any Person to read, or shall in anywise hinder any Person from reading, the Inscriptions on the Board to be affixed and placed as aforesaid, or shall refuse to tell his Christian or Surname to any Person who shall demand the same on having paid the legal Rates, Tolls, or Sums, or shall in answer to such Demand give a false Name or Names, or upon the legal Rate, Toll, or Sum being paid or tendered shall unnecessarily detain or wilfully obstruct or prevent any Passenger from passing upon the said Railway, or shall make use of any scurrilous or abusive Language to any Officer or Servant of the said Company, or to any Passenger upon the said Railway, then and in every such Case every such Toll Collector shall forfeit any Sum not exceeding Forty Shillings for every such Offence.

Recovery of Rates.

CLI. And be it further enacted, That the Rates of Tonnage, Tolls, and other Sums hereby authorized to be taken shall be paid to such Persons, at such Places upon or near the said Railway, and in such Manner and under such Regulations as the said Company at some General or Special Meeting, or as the said Directors shall, by Notice to be annexed to the Account or List of Rates, Tolls, or Sums, direct or appoint; and in case of Refusal or Neglect, on Demand, to pay such Rates, Tolls, or Sums as may have accrued due unto the Persons appointed to receive the same as aforesaid, the said Company may, in case such Rates, Tolls, or Sums shall amount to the Sum of Ten Pounds or upwards, sue for and recover the same by Action of Debt or upon the Case in any of Her Majesty's Courts of Record in *Dublin*; or the Persons to whom such Rates, Tolls, or Sums ought to have been paid may and they are hereby respectively empowered to seize the Goods, Chattels, and other Things for or in respect whereof any Rates, Tolls, or Sums ought to be or ought to have been paid, or any Part thereof, and the Waggon or other Carriage laden therewith, and detain the same until such Payment shall be made, together with reasonable

sonable Charges for such Seizure and Detention; and if such Goods shall not be redeemed within Twenty-one Days next after the taking thereof, the same shall be appraised and sold as the Law directs in Cases of Distress for Rent: Provided always, that in case such Rates, Toll, or Sums so due as aforesaid shall not amount to the Sum of Ten Pounds, it shall not be lawful for the said Company to sue for the same by Action of Debt or on the Case, but the same shall and may be recovered by Distress and Sale only, as is herein mentioned.

Owners of Carriages to give Account of Lading.

CLII. And be it further enacted, That the respective Owners or Persons having the Care of Carriages passing upon the said Railway shall give an exact and true Account in Writing signed by them to the Collectors of the Rates or Tolls, at the Places where they shall attend for that Purpose, of the Quantity of Goods and other Things as aforesaid which shall be in the Carriages so belonging to them or under their Care, and from whence such Carriages are brought, and where the same are intended to be unloaded or left; and if the Goods or other Things contained in any such Carriage shall be liable to the Payment of different Rates or Tolls, then such Owners or other Persons shall specify the respective Quantities liable to each or any of the said Rates or Tolls; and in case any such Owner or other Person as aforesaid shall neglect or refuse to give and deliver such Account, or to produce his Bill of Lading to any Collector demanding the same, or shall give a false Account, or shall deliver any Part of his Lading or Goods at any other Place than is mentioned in such Account, with an Intent to avoid the Payment of any of the said Rates or Tolls, and shall be thereof convicted before any Justice of the Peace within whose Jurisdiction such Neglect or Refusal shall be made, or such false Account shall be given, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, over and above the Rate or Toll to which such Goods or Things may be liable.

For ascertaining the Weight of Goods.

CLIII. And for better ascertaining the Weight of Goods and other Things to be charged with the Payment of Tonnage Rates or Tolls as aforesaid, be it further enacted, That as respects all such Goods and other Things as aforesaid, except Stone and Timber, One hundred and twelve Pounds Weight shall be deemed One Hundred Weight, and Twenty such Hundred Weights shall be deemed One Ton, and as respects Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Beech, and Ash, and Fifty Cubic Feet of all other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity, any Usage to the contrary notwithstanding.

For arranging Differences respecting Weight.

CLIV. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates or Tolls, or any other Officer or Servant of the said Company, and any Owner of or Person having the Charge of any Carriage passing upon the said Railway, or of any Goods, Articles, or Things in or on such Carriage, respecting the Goods, Articles, or Things in or on such Carriage, or the Rates or Tolls due in respect thereof, it shall be lawful for such Collector or other

other Officer as aforesaid to detain such Carriage, and to examine, weigh, measure, and gauge, or cause to be examined, weighed, measured, and gauged, such Carriage, and all such Goods, Articles, and Things as shall be therein or thereon; and in case the same shall, upon being so examined, weighed, measured, or gauged, appear to be of greater Weight or Quantity or of different Quality than shall be stated in the Account given thereof as aforesaid, then the Person giving in such Account shall pay, or the Owner of such Carriage and the respective Owners of such Goods and other Things shall, at the Option of the said Company, be liable to pay, the Costs and Charges of such examining, weighing, measuring, or gauging; all which Costs and Charges, upon Refusal or Neglect of Payment thereof on Demand, shall and may be recovered and levied by and in such Ways and Manner as the said Rates and Tolls are in this Act authorized to be recovered and levied; but if such Goods, Articles, or Things shall appear to be of the same Quality and Quantity, or of less Weight or Quantity than shall be stated in such Account, then the said Company shall pay the Costs and Charges of such examining, weighing, measuring, or gauging, and shall also pay to such Owner or Person having Charge of such Carriages, and to the respective Owners of such Goods, Articles, or Things, such Damage as shall appear to any Justice of the Peace within whose Jurisdiction such Inquiry shall be made on the Oath, or in the Case of a Quaker on the Affirmation of any credible Witness, to have arisen from or by such Detention; but in case it shall at any Time be made to appear to such Justice, upon the Complaint of the said Company, and upon the like Oath or Affirmation, that such Detention, and examining, weighing, measuring, or gauging, was without reasonable Ground or Belief, or that it was vexatious on the Part of such Collector or other Officer as aforesaid, then such Collector or other Person as aforesaid shall himself pay the Costs and Expences of such examining, weighing, measuring, or gauging, and shall also pay to such Owner or Person, or to the respective Owners of such Goods, Articles, or Things as aforesaid, such Damage as shall appear to such Justice to have arisen from such Detention; and in default of immediate Payment thereof by the said Company, or by such Collector or other Officer as aforesaid, (as the Case may be,) the same may be recovered by Distress and Sale of the Goods of the said Company or of the said Collector or other Officer as aforesaid (as the Case may be) by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon Demand, after deducting the Costs of such Distress and Sale, to the said Company, or to the said Collector or other Officer as aforesaid (as the Case may require).

For settling Disputes respecting Rates.

CLV. Provided also, and be it further enacted, That if any Dispute shall arise concerning the Amount of Rates, Tolls, or Sums due to the said Company, or concerning the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Collector or Person distraining to detain such Distress or (as the Case may require) the Proceeds of the Sale thereof until the Amount of the Rates, Tolls, or Sums due, or, as the Case may require, the Amount of the Charges of seizing, distraining, keeping, or selling such Distress, shall be ascertained by some Justice of the Peace within

within whose Jurisdiction such Distress shall be made, who, upon Application made to him for that Purpose, shall examine the said Matter upon Oath or Affirmation of the Parties or other Witnesses, and determine the Amount of the Rates, Tolls, or Sums due, or (as the Case may be) of the said Charges; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the said Parties to the other of them as he shall think reasonable, and in case of Nonpayment thereof on Demand such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party directed to pay the same by Warrant under the Hand and Seal of such Justice.

Company may let to farm the Rates.

CLVI. And be it further enacted, That it shall be lawful for the Directors of the said Company, with the Approbation of the Proprietors expressed at any General or Special General Meeting by Writing under the Common Seal of the said Company, at any Time to let to farm the Rates, Tolls, and Sums hereby made payable, or any Part thereof, upon the Whole or any Part of the said Railway, unto any Person or Persons, for any Term which they shall think proper, not exceeding Seven Years from the Commencement of any such Lease, and the said Lease to commence in Possession, or within Three Calendar Months next after granting the same; and every such Lease shall be valid and effectual; and the respective Lessees thereof, and also such Persons as such Lessees shall appoint to collect and receive the Rates, Tolls, or Sums so let, shall, during the Continuance of any such Lease, be deemed Collectors of the Rates, Tolls, or Sums so let, but for the proper Use of the Lessees, and shall have the same Powers and Authorities for collecting and recovering the same as if they had been appointed for that Purpose by the said Company; provided that public Notice of the Intention to let the said Rates, Tolls, and Sums, or the Part thereof intended to be let, shall be given by the said Directors by Advertisement in the Manner herein-before directed at least Twenty-one Days prior to any General or Special General Meeting at which it may be proposed to apply for the Assent of the said Proprietors to the Lease of the said Rates, Tolls, and Sums, or any Part thereof.

Power of Re-entry in case of Non-performance of Conditions of Lease of Rates or Tolls.

CLVII. And be it further enacted, That in case any of the Rates or Tolls granted by this Act shall be demised or let to farm to any Person in any Manner whatsoever, and the Lessee or Farmer thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or any of them, or in case all or any Part of any Rent agreed to be paid by any such Lessee or Farmer shall be in arrear or unpaid for the Space of Twenty-one Days next after any of the Days on which the same ought to be paid, pursuant to the Lease, Agreement, or Contract for demising or letting the same Rates or Tolls, or in case any temporary or other Collector of any of the said Rates or Tolls shall be discharged from his Office by virtue of this Act, or shall die, abscond, or absent himself, and any such Collector who shall be so discharged, or the Wife, Widow, or any of the Children or Family or any Representative of any such Collector who shall die, abscond, or absent himself, or be discharged, or any other Person being in Possession thereof, shall refuse to deliver up or shall

not deliver up Possession of any Toll House, Office, Weighing Machine, or other Building, with the Appurtenances thereto respectively belonging, to be erected or provided under the Powers of this Act, for or within the Space of Seven Days after Demand thereof made in Writing given or left at such Toll House, Office, Weighing Machine, or Building, or at any of such Toll Houses, Offices, Weighing Machines, or Buildings which shall be or have been in the Possession or Occupation of such Collector or Person, such Demand in Writing to be signed by any Three or more of the said Directors, or by the Secretary or Clerk for the Time being of the said Company, or in case any such Lease, Agreement, or Contract shall in any Manner become void or voidable, then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace of any of the Counties or Places within which the Rates or Tolls so demised shall arise, upon Application made by the said Directors, or by the Secretary or Clerk for the Time being of the said Company, by Warrant under the Hands and Seals of such Justices respectively to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take possession of every or any such Toll House, Office, Weighing Machine, or other Building, with the Appurtenances thereunto belonging, and to remove and put such Lessee or Farmer or other Person who shall be found therein, together with his Goods, from and out of the same and the Possession thereof, and from the Collection of such Rates or Tolls, and to put the said Company or their Agent, or their new Lessee, Farmer, or Collector, into the Possession thereof, and thereupon it shall be lawful for the said Company to vacate and determine the Lease, Contract, or Agreement (if any) which was previously subsisting, and the same shall accordingly be utterly void to all Intents and Purposes (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part); and it shall be lawful for the said Company in every such Case, either during such Proceedings or on the Termination thereof, again to demise or let to farm the said Rates or Tolls to any other Person or Persons, or cause them to be collected, in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

Regulating Weight to be carried on the Railway.

CLVIII. And be it further enacted, That no Waggon or other Carriage shall carry at any One Time upon any Part of the said Railway, including the Weight of such Waggon or Carriage, more than Five Tons, except in any One Piece of Timber, Block, or Stone, Boiler, Cylinder, Bob, or single Piece of Machinery, or other single Article, which shall nevertheless not exceed the Weight of Ten Tons, including the Weight of the Waggon or Carriage, and for the Tonnage or Carriage of which the said Company are hereby authorized to receive and take such Rates as they may from Time to Time direct or appoint, not exceeding Nine-pence *per* Ton *per* Mile; and no Piece of Timber, Stone, Machinery, or other Article exceeding the Weight of Ten Tons, including the Weight of the said Waggon or other Carriage, shall be carried upon any Part of the said Railway without the special Licence of the Directors of the said Company or their Agents, and for the Tonnage or Carriage of which the said Company are hereby authorized to receive and take such Rates as they may deem proper.

CLIX. And

Company to regulate the Passage on Railway.

CLIX. And be it further enacted, That it shall be lawful for the Directors of the said Company from Time to Time to make such Orders and Regulations as they shall think proper for regulating the travelling upon and Use of the said Railway, and for or relating to Travellers and Carriages passing upon the said Railway, and for or relating to the Mode and Means by which and the Speed at which such Carriages shall from Time to Time be moved or propelled, and the Times of their Departure and Arrival, and the loading or unloading thereof respectively, and the Weights which they shall respectively carry, and the Delivery of Goods and other Things which shall be conveyed in or upon such Carriages, and also for preventing the smoking of Tobacco and the Commission of any other Nuisance in or upon any such Carriages, or in any of the Stations belonging to the said Company, and generally for regulating the passing upon, using, or working the said Railway and other Works by this Act authorized, or in anywise relating thereto respectively; and all such Orders and Regulations shall be binding upon and be conformed to by the said Company, and by all Owners of and Persons having the Care or Conduct of such Carriages, and by all Persons using or working the said Railway and other Works, upon pain of forfeiting and paying a Sum not exceeding Five Pounds for every Default: Provided always, that in every Case of Infraction or Nonobservance of any such Rules or Regulations which shall be attended with Danger to the Public, or which shall obstruct or hinder the said Company in their due and lawful Use and working of the said Railway, it shall be lawful for the said Company and their Agents summarily to interfere to obviate such Danger, or to remove or prevent such Obstruction or Hindrance, either by removing from the said Railway any Engine or Carriage which shall be used or worked thereon in contravention of any such Rules or Regulations, or otherwise, as the Necessity of the Case may require.

Carriages using the Railway to be constructed according to the Regulations of the Company.

CLX. And be it further enacted, That no Carriage for the Conveyance of Goods, Passengers, or Cattle shall be permitted to pass along the said Railway unless the same shall be constructed agreeably to the Orders and Regulations of the said Company, which Orders and Regulations shall be fixed on a conspicuous Part of every Toll House or other Building at which the Rates or Tolls granted by this Act shall be received, except in crossing the same, as herein-before authorized, for the convenient Occupation of the respective Lands through which such Railway shall be laid, or in passing any public or private Carriage Road which may happen to cross the said Railway; and if any Person shall pass upon any Part of the said Railway with any Carriage not constructed in the Manner herein-before directed (except as aforesaid), he shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Engines to be used on Railway to be approved by the Company.

CLXI. And whereas, for the greater Security of Passengers and other Persons travelling upon and using the said Railway, it is expedient that the locomotive and other Engines to be from Time to Time used in drawing or propelling Carriages upon or along the said Railway should be under the Control of the said Company; be it therefore enacted, That no locomotive or other Engine or other Description

scription of moving Power shall at any Time be brought upon or used on the said Railway unless the same shall first have been approved by the Directors for the Time being of the said Company; and it shall be lawful for the said Directors and they are hereby required, within Fourteen Days after Notice given to them by any Person desirous of bringing any such Engine on the said Railway, to cause their Engineer or other Agent to inspect and examine such Engine at any Place within Three Miles of the said Railway, and to report thereon to the said Directors, who shall, within Seven Days after such Report, in case such Engine should be fit and proper to be used on the said Railway, give a Certificate to the Party requiring the same of their Approval of every such Engine; and it shall be lawful for the said Directors from Time to Time when any Engine used or being upon the said Railway is out of repair, or unfit to be used thereon, to order the same to be taken off, or to forbid the same to be used upon the said Railway; and in case any Person shall bring or use upon the said Railway any locomotive or other Engine, or any other moving Power, without having first obtained such Certificate of Approval as aforesaid, or in case, after Notice given by the said Company to remove from or not to use upon the said Railway any such Engine as aforesaid, the Person to whom such Engine shall belong shall not forthwith remove the same, or shall use any such Engine upon the said Railway without having first repaired the same to the Satisfaction of the said Company, and obtained such Certificate of Approval as aforesaid, every such Person shall forfeit and pay any such Sum not exceeding Twenty Pounds for every such Offence, and the said Company are hereby authorized to remove any such Engine from the said Railway.

Names, &c. of Owners of Carriages to be entered with the Clerk, and painted on the Outside of the Carriages.

CLXII. And be it further enacted, That the respective Owners of any locomotive Engines or other Carriages passing upon the said Railway shall cause their Names and Places of Abode, and the Numbers, Weights, and Gauges of their respective Carriages, to be entered with the Clerk or other Officer of the said Company appointed for that Purpose, and shall also cause such Names, Places of Abode, Numbers, Weights, and Gauges, to be painted and continued in legible and distinct Characters on some conspicuous Part of the Outside of every such Carriage, so as to be always open to View, and shall permit every such Carriage to be weighed, measured, and gauged, at the Expence of the said Company, whenever it shall be required by the said Company, or by any Person by them appointed for that Purpose; and every Owner or other Person having the Care of any Carriage, or who shall conduct the same upon the said Railway without having such Carriage previously weighed, measured, and gauged, and the Weight, Measure, and Gauge thereof, together with the Number thereof, and also the Name and Place of Abode of the Owner thereof, entered with the Secretary or Clerk or other Officer of the said Company appointed for that Purpose, or without having such Name, Place of Abode, Number, Weight, and Gauge marked upon each such Carriage as herein-before directed, or who shall alter, erase, deface, or hide such Name, Place of Abode, Number, Weight, or Gauge, or any of them, or any Part thereof, or shall fix thereon any false Name, Place of Abode, Number, Weight, or Gauge, or shall refuse

refuse to permit or shall not permit any such Carriage to be weighed, measured, or gauged as aforesaid, shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Owners of Waggons liable for Damage caused by their Waggons or Servants.

CLXIII. And be it further enacted, That the respective Owners of Waggons or other Carriages passing upon the said Railway shall be and they are hereby made answerable for any Trespass, Damage, or Mischief which may be done by their Waggons or other Carriages, or by any of the Waggoners or Drivers or other Persons belonging to or employed by them, to the said Railway or other Works made by virtue of this Act, either by loading or unloading such Waggons or other Carriages, or by any Means whatsoever; and every such Owner shall for every such Trespass, Damage, or Mischief, upon Conviction of any such Waggoner, Driver, or other Person before some Justice of the Peace, either by the Confession of the Party offending, or upon the Oath or Affirmation of some credible Witness, pay to the said Company or to the Person injured the Damages, to be ascertained by such Justice, so that the same do not exceed the Sum of Five Pounds, and also shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding Forty Shillings, and all Costs, Charges, and Expences attending such Conviction; all which Damages, Penalties, and Costs shall be levied by Distress and Sale of the Goods and Chattels of the Owner or Owners of such Waggon or other Carriage by Warrant under the Hand and Seal of such Justice; and the Overplus (if any) of the Proceeds of such Sale, after Deduction of such Damages, Penalties, and Costs, together with the Costs and Charges of such Distress and Sale, shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattels; but if the Value or Amount of such Trespass, Damage, or Mischief shall exceed the Sum of Five Pounds, the Owner of every such Waggon or other Carriage, and his Executors or Administrators, may be sued and prosecuted for the same in any of Her Majesty's Courts of Record in *Dublin;* and if a Verdict or Judgment shall be given against him, either upon Proof made, or by Default or upon Demurrer, the Plaintiff in any such Case shall recover his Damage sustained as aforesaid, with full Costs of Suit.

Owners may recover the Amount of Damages from their Servants.

CLXIV. Provided always, and be it further enacted, That in case any Owner of any Waggon or other Carriage passing upon the said Railway shall be compelled to pay any Penalty or to make any Satisfaction for any Damage by reason of any wilful Act, Neglect, or Default of any of his Servants, every such Servant shall be liable to pay such Penalty or Satisfaction for Damages, or both (as the Case may be), with the Costs attending the same, to such Owner; and in case of Nonpayment thereof on Demand, and Oath made by such Owner of the Payment by him of such Penalty and Satisfaction or either of them (as the Case may be), and that the same hath not been repaid to him by such Servant although demanded, (such Oath being made before some Justice of the Peace for the County or Place in which such Penalty or Damage was incurred,) such Penalty and Satisfaction or either of them (as the Case may be), and the Costs aforesaid, shall be levied by Warrant under the Hand and Seal of such Justice by Distress and Sale of the Goods and Chattels of such

Servant, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction or either of them (as the Case may be), and Costs and Charges as aforesaid, when recovered, shall be paid to such Owner in discharge of such Penalty and Satisfaction or either of them, and the Costs so by him paid for the wilful Neglect or Default of such Servant as aforesaid; and in case no sufficient Distress can be had such Justice shall and he is hereby required to commit such Servant to some Common Gaol or House of Correction for the said County or Place, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Railway not to be used as a Passage for Horses or other Cattle.

CLXV. Provided always, and be it further enacted, That if any Person (save and except the said Company and their Agents and other Persons authorized by them, and by them authorized for the Purposes only of the said Undertaking,) shall ride, lead, or drive, or cause to be ridden, led, or driven, or shall aid and assist in leading or driving, upon such Railway or any Part thereof, any Horse, Mule, or Ass, or any Cow or other Neat Cattle, Sheep, Swine, or any other Beast or Animal, (except only in directly crossing the same at Places to be appointed for that Purpose, or for the necessary Occupation as aforesaid of the respective Lands through which the said Railway shall pass,) it shall be lawful for the said Company to remove the same, and every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Penalty on Persons on foot using Railway without Consent.

CLXVI. And whereas it may be attended with very great Danger to the Public if the said Railway should be used by Persons on Foot; be it therefore enacted, That if any Person shall travel or pass upon Foot upon the said Railway without the Licence and Consent of the said Company, (unless for the Purpose of attending any Carriage under his Care, and except the respective Owners or Occupiers of Lands through which the said Railway shall pass, and their respective Servants, in passing across or over the same, as herein-before authorized,) every Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Owners and Occupiers of adjoining Lands to cross the Railway without Payment of Toll.

CLXVII. Provided always, and be it further enacted, That it shall be lawful for the respective Owners and Occupiers of Lands through which the said Railway shall be made, and their respective Servants and Workmen, (except in Cases in which the said Company shall at their own Expence have made proper and convenient Communications from the Land on one Side of the said Railway to the Land on the other Side thereof, according to the Provisions of this Act,) at all Times to pass and repass, and to ride, lead, or drive any Horse, Mule, or Ass, Cow or other Neat Cattle, Sheep, Swine, or other Beast, directly over and across such Part of the said Railway as shall be made in or upon their respective Lands, for the Purpose of occupying the same Lands, not damaging or obstructing such Railway or the Passage thereof, without Payment of any Rate or Toll for the same, provided they shall not pass across or upon any other Part of the said Railway.

CLXVIII. And

Penalty on Persons obstructing the free Course of Railway.

CLXVIII. And be it further enacted, That if any Person shall throw or place or wilfully scatter or drop any Gravel, Stone, Rubbish, or other Matter or Thing upon any Part of the said Railway, or shall extinguish any Light or Lamp set up on or near the said Railway or other Works, unless by Authority of the said Company, or shall wilfully obstruct or prevent any Person in the lawful Execution of this Act, or shall do any Act, Matter, or Thing to obstruct the free Passage of the said Railway or any Part thereof, he shall forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings for every such Offence.

Penalty for destroying Works.

CLXIX. And be it further enacted, That if any Person shall wilfully and to the Detriment of the said Undertaking or of the said Company injure, break, throw down, destroy, steal, or take away any Part of the said Railway or other Works erected or made by virtue of this Act, or any Part of the Materials of any such Works, so as that the Use of or Passage on the said Railway shall be liable to be obstructed, impeded, or otherwise interrupted, every Person, being lawfully convicted of any such Offence, shall be subject and liable to the Pains and Penalties to which Persons shall be liable in Cases of Simple Larceny.

Penalty for obstructing the Railway.

CLXX. And be it further enacted, That if the Loading of any Carriage using the said Railway shall be suffered to extend more than Thirty Inches over and beyond the Flanch or Lip of each or any Wheel of such Carriage, or if any Carriage or any Goods or Things shall be placed or be suffered to remain on any Part of the said Railway or other Works so as to obstruct the Passage or working thereof, and the Person having the Care of such Carriage, Goods, or Things shall not immediately upon Request remove the same, then and in every such Case, and without Prejudice to any other Provision in this Act contained, such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings for every Hour during which such Obstruction shall continue after the making of such Request, and so in proportion for any less Period than an Hour; and it shall be lawful for any Agent or Officer of the said Company to cause any such Carriage, Goods, or Things to be unloaded if necessary, and to be removed in such Manner as shall be proper for preventing, terminating, or removing such Obstruction, and to detain such Carriage, Goods, or Things, or any Part thereof, until the Expences occasioned by such unloading, Removal, or Detention shall be paid; and the said Company shall not, nor shall any Agent or Officer of the said Company, be liable or accountable for any Damage or Loss occasioned by any such unloading, Removal, or Detention, or for any Delay occasioned thereby in any other Way relating thereto, except for wilful Damage done to any Carriage, Goods, or Things so unloaded, removed, or detained, nor shall they or he be liable for the safe Custody of any such Carriage or any Goods or Things which shall be so detained, unless the same shall be wrongfully detained by the said Company or by the said Agent or Officer, and then only for so long a Time as the same shall be so detained.

CLXXI. And

Punishment of Persons in the Service of the Company for Drunkenness.

CLXXI. And whereas it is expedient for the further Security of Property and the better Conduct of the Business on the said Railway, after the same or any Part thereof shall be completed, that Punishment beyond that which is now by Law provided shall be inflicted upon any Person in the Service of the said Company who may be found in a State of Drunkenness on any Part of the said Railway, or in any of the Stations, Warehouses, or other Works connected therewith; be it therefore enacted, That if any Person in the Service for the Time being of the said Company shall be found on any Part of the said Railway, or within any of the Stations, Warehouses, or other Premises connected therewith, to be in a State of Drunkenness, every such Person shall for every such Offence be subject and liable to Imprisonment for Three Months, or forfeit and pay a Sum not exceeding Five Pounds nor less than Ten Shillings, such Imprisonment to be inflicted, or such Fine to be recovered and applied, in the Manner as Imprisonments and Penalties imposed and inflicted by this Act are directed to be enforced, recovered, and applied.

Indictments, Informations, &c. how to be preferred or instituted.

CLXXII. And be it further enacted, That in all Indictments, Informations, or legal Proceedings whatsoever to be preferred, instituted, or carried on against any Person for feloniously taking, stealing, or embezzling, or for destroying, damaging, or injuring, removing or carrying away, any Goods, Chattels, or Property of or belonging to the said Company, or any Goods, Chattels, or Property in their Custody or Possession, or in the Custody or Possession of any Officer or Servant of the said Company, or for and on behalf of any other Corporation or Person having deposited such Goods, Chattels, or Property in the Care or Custody of the said Company or their Officers or Servants, or any Goods, Chattels, or Property in or on the said Railway, or any of the Yards, Stations, Works, Warehouses, or Premises belonging to the said Company, and in all other Indictments, Informations, or legal Proceedings whatsoever of or concerning such Goods, Chattels, or Property respectively, it shall be sufficient to describe and refer to such Goods, Chattels, and Property respectively as the Goods, Chattels, and Property of the said Company; and in case the same shall have been so as aforesaid feloniously taken, stolen, or embezzled, or removed or carried away, to allege that the same were so feloniously taken, stolen, embezzled, removed, or carried away (as the Case may be) from the said Company; and it shall be sufficient, on the Trial or Hearing of any such Indictment, Information, or other legal Proceeding, to prove that at the Time when such Goods, Chattels, and Property respectively were so feloniously stolen, taken, or embezzled, or so damaged, destroyed, or injured, or removed or carried away, or whenever the Matter or Thing complained of in such Indictment, Information, and other legal Proceeding took place, such Goods, Chattels, and Property were in or on the said Railway, or some of the Yards, Stations, Works, Warehouses, or Premises belonging to the said Company, or in the Custody or Possession of some Officer or Servant of the said Company for and on behalf of the said Company, or for and on behalf of some Corporation or Person having deposited the same with the said Company, without any other Proof of Property.

Damages and Charges, in case of Dispute, to be settled by Two Justices.

CLXXIII. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by some Two or more Justices of the Peace for the County or Place wherein such Damages or Charges shall be incurred; and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

In case of Nonpayment of Compensation for Damages, &c. the same to be levied by Distress of the Goods of the Company.

CLXXIV. And be it further enacted, That whenever any Money shall by any Justice of the Peace be ordered to be paid, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage or Injury of any Nature or Kind soever done or committed by the said Company or by any Person acting by or under their Authority, and such Money shall not be paid by the said Company to the Party entitled to receive the same within Fourteen Days after Demand in Writing shall have been made upon the said Company in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant under his Hand and Seal on Application made to him for that Purpose by the Party entitled to receive such Money; and in case any Overplus shall remain after Payment of such Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then such Overplus shall be returned, on Demand, to the said Company.

Recovery and Application of Penalties.

CLXXV. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by virtue of any Bye Law, Rule, or Order made in pursuance thereof, the Manner of levying and recovering whereof is not herein otherwise particularly directed, may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Two or more Justices of the Peace within whose Jurisdiction such Penalties or Forfeitures shall arise, on Complaint to them for that Purpose made, and afterwards be levied, as well as the Costs (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices; and the Overplus (if any) of the Money so raised or recovered, after discharging

charging such Penalty or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained; all which Penalties and Forfeitures not herein directed to be otherwise applied shall be paid, Half to the Informer, and the Remainder to the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case the same shall be paid, Half to the Informer, and the Remainder to the Churchwardens of the Parish within which the Offence shall be committed, to be applied by such Churchwardens for the Relief of the Poor of such Parish; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justices and they are hereby required to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justices of the Peace for his Appearance before such Justices or before some other Justices of the Peace having Jurisdiction at such Time as shall be appointed for the Return of such Warrant of Distress, such Time not being more than Seven Days from the taking of such Security, and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justices shall not be required to issue such Warrant of Distress, but they are hereby required by Warrant under their Hands and Seals to commit such Offender to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be paid and satisfied, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall otherwise be discharged by due Course of Law.

Justices may proceed by Summons in Recovery of Penalties.

CLXXVI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice or Justices of the Peace, it shall be lawful for the Justice or Justices of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon before him or them the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice or Justices; and all such Proceedings by Summons without Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

CLXXVII. And

For securing transient Offenders.

CLXXVII. And be it further enacted, That it shall be lawful for any Collector, Surveyor, or other Officer of the said Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person, being unknown to such Collector, Surveyor, or other Officer, who shall commit any Offence against this Act, and to convey him before some Justice of the Peace for the County or Place where the Offence shall be committed, without any other Warrant or Authority than this Act for so doing; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Forms of Information and Conviction:

CLXXVIII. And be it further enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act may cause the Information (whenever an Information shall be taken in Writing or in Print) and the Conviction respectively to be drawn up according to the following Forms or any other Forms to the same Effect, as the Case may require; (that is to say,)

Form of Information.

'} to wit. } BE it remembered, That on the Day of
'of informeth me,
'one of Her Majesty's Justices of the Peace for
'that of [*here describe*
'*the Offence, with the Time and Place of its Commission,*] contrary
'to an Act passed in the Year of Her Majesty
'Queen *Victoria*, intituled [*here insert the Title of this Act*], which
'hath imposed a Forfeiture of for the
'said Offence. Taken the Day of
'before me.'

Form of Conviction.

'} to wit. } BE it remembered, That on the Day of
'in the Year of our Lord
'*A.B.* is convicted before me [*C.D.*], one of Her Majesty's Justices
'of the Peace for of [*specifying the*
'*Offence, and the Time and Place when and where the same was*
'*committed, as the Case may be,*] contrary to an Act passed in the
'Year of the Reign of Queen *Victoria*, intituled
'[*here set forth the Title of this Act*]. Given under my Hand and
'Seal the Day and Year first above written.'

Persons agrieved may appeal.

CLXXIX. And be it further enacted, That all Corporations and Persons who may think themselves aggrieved by any Bye Law, Rule, or Order of the said Company or of the said Directors, except such as affect the said Company only, or their Officers and Servants, or by any Order or Judgment made or given in pursuance thereof, and also the said Company and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County or City where the Cause of Appeal shall arise, first giving Twenty-one Days Notice in

Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, or to the said Company, as the Case may be, and forthwith after such Notice entering into Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or, if they think proper, adjourn the Hearing thereof to the following General or Quarter Sessions of the Peace to be held for such County or City; and the said Justices may, if they see Cause, confirm, alter, or annul any such Order, or mitigate any Penalty or Forfeiture, or may order any Money to be returned which shall have been levied in pursuance of such Bye Law, Rule, or Order, and Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they in their Judgment shall think just and reasonable.

Justices may appoint Special Constables.

CLXXX. And be it further enacted, That it shall be lawful for any Two or more Justices of the Peace for the County of the City of *Dublin*, or any of the said Counties of *Dublin*, *Kildare*, *King's County*, *Queen's County*, *Carlow*, *Kilkenny*, or County of the City of *Kilkenny* respectively, from Time to Time to appoint such Persons as shall be nominated to them by any Three of the Directors of the said Company for that Purpose to be Special Constables upon the said Railway and other Works, and every or any Part thereof; and every Person so appointed shall take an Oath, to be administered by the Justices of the Peace so appointing him, duly to execute the Office of a Constable for the said Premises; and every Person so appointed and sworn as aforesaid shall have Power to act as a Constable for the Preservation of the Peace, and for the Security of Persons and Property against Felonies and other unlawful Acts, within the Limits of the said Premises, or within Five hundred Yards thereof, and shall have, use, exercise, and enjoy all such Powers, Authorities, Protections, and Privileges for the apprehending Offenders as well by Night as by Day, and for doing all Acts, Matters, and Things for the Prevention, Discovery, and Prosecution of Felonies and other Offences, and for the Preservation of the Peace, as Constables duly appointed now have by the Laws and Statutes of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*; and it shall be lawful for the said Justices, or any Three or more Directors of the said Company, to dismiss or remove any such Constable from his Office of Constable, and upon every such Dismissal or Removal all Powers, Authorities, Protections, and Privileges by virtue of such Appointment as aforesaid vested in any Person so dismissed or removed shall wholly cease.

Justices to administer Oaths.

CLXXXI. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby

required to administer an Oath or to receive the Affirmation of any Person before he shall be examined by or before such Justice.

For compelling Witnesses to attend.

CLXXXII. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter of Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse or neglect to attend at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his Costs and Expences, without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath, or in the Case of a Quaker on Affirmation, to give Evidence before such Justice, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Declaring what shall be good Service of Notice on the Company.

CLXXXIII. And be it further enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Company, personal Service thereof upon the Secretary or Clerk of the said Company, or leaving the same at the Office of the said Company or of such Secretary or Clerk, or delivering the same to some Inmate at such Office of the Company, or in case the same respectively shall not be found or known, then personal Service thereof upon any other Agent of or Officer employed by the said Company, or on any Director of the said Company, shall be deemed good and sufficient Service of the same respectively on the said Company.

Declaring what shall be good Service of Notice by the Company.

CLXXXIV. And be it further enacted, That in all Cases in which it may be necessary for the said Company to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon any Person or Corporation under the Provisions of this Act, personal Service thereof respectively upon such Person or upon the Clerk or other Officer of such Corporation, or delivering the same to some Inmate of the last or usual Place of Abode of such Person, or of such Clerk or other Officer of such Corporation, or at the Office of such Clerk or other Officer, shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation (as the Case may be), except in Cases in which any other Mode of Service is by this Act particularly directed: Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Company, may be signed by One Director, or by the Secretary or Clerk of the said Company, and need not be under the Common Seal of the said Company, and may be in Writing or in Print, or partly in Writing and partly in Print.

How Debts may be proved in Cases of Bankruptcy.

CLXXXV. And be it further enacted, That in case any Fiat of Bankruptcy shall be awarded against any Person who shall be indebted to the said Company, or against whom the said Company shall have

any Claim or Demand, it shall be lawful for any Person who shall from Time to Time in that Behalf be appointed by Writing under the Hand of any Three or more of the Directors of the said Company for the Time being to appear, and he is hereby authorized to appear and act on behalf of the said Company, in respect of any such Claim, Debt, or Demand, before the Commissioners under any such Fiat of Bankruptcy, either personally or by his Affidavit, to be sworn and exhibited in the usual Manner, in order to prove and establish any such Debt, Claim, or Demand under such Fiat; and such Person so to be appointed shall in all such Cases be admitted and allowed to make Proof or tender a Claim before any such Commissioner on behalf of the said Company in respect of such Debt, Claim, or Demand, and shall have such and the same Powers and Privileges as to voting in the Choice of Assignees and signing Certificates, and otherwise in respect of any Debt admitted to be proved on behalf of the said Company, as any other Person being a Creditor of such Bankrupt in his own Right would have in respect of the Debt proved by him under such Fiat.

Directors empowered to grant Releases to Witnesses.

CLXXXVI. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, against or by or on behalf of the said Company, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any Three or more of the Directors of the said Company to make, sign, seal, execute, and deliver such general or other Releases as may be or may be deemed necessary for the Purpose of exonerating, releasing, and discharging any Person who shall or may be produced as Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding as aforesaid, from any Claim or Demand which may be necessary to be released by the said Company, so as to qualify such Person to give Evidence as a Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Arbitration, Reference, or other Proceeding which any Plaintiff or Defendant may do in any Action, Suit, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same was made under the Seal of the said Company.

Copy of Bye Laws to be Evidence.

CLXXXVII. Provided always, and be it further enacted, That in all Cases of Prosecution for Offences against the Bye Laws, Rules, or Orders of the said Company the Production of a written or printed Paper, purporting to be the Bye Laws, Rules, or Orders of the said Company, and authenticated by having the Common Seal of the Company affixed thereto, shall be Evidence of the Existence of such Bye Laws, Rules, or Orders; and it shall be sufficient to prove that a Board, painted according to the Directions of this Act, purporting to be a Copy of such Bye Laws, Rules, or Orders, hath been affixed and published in manner by this Act directed, and in case of its afterwards being displaced or damaged hath been replaced by another

such

such Board as soon as conveniently might be, unless Proof shall be adduced by the Defendant that such Board is not a Copy of such Bye Laws, Rules, or Orders, or hath not been duly affixed and generally continued in manner by this Act directed.

Distress not unlawful for Want of Form.

CLXXXVIII. And be it further enacted, That when any Distress shall be made for Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defects or Irregularity may recover full Satisfaction for special Damage by an Action upon the Case.

Proceedings not to be quashed for Want of Form.

CLXXXIX. And be it further enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Proceeding whatsoever, into any of Her Majesty's Courts of Record in *Dublin* or elsewhere; any Law or Statute to the contrary notwithstanding.

Limitation of Actions.

CXC. Provided also, and be it further enacted, That no Action, Suit, or Information, nor any other Proceeding of what Nature soever, shall be brought, commenced, or prosecuted against any Person for any thing done or to be done in pursuance of this Act, or in the Execution of the Powers or Authorities or any of the Orders made, given, or directed in, by, or under this Act, unless Twenty-one Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action, Suit, or Information to the intended Defendant, nor unless such Action, Suit, or Information shall be brought or commenced within Three Calendar Months next after the Fact complained of shall have been committed, or in case there shall be a Continuation of Damages, then within Three Calendar Months next after the doing or committing such Damage shall have ceased, nor unless such Action, Suit, or Information shall be laid or brought in the County or City where the Matter in dispute or Cause of Action shall arise; and the Defendant in such Action, Suit, or Information may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done by the Authority of this Act; and if it shall appear to have been so done, or that such Action, Suit, or Information shall have been brought otherwise than as herein-before directed, then and in every such Case the Jury shall find for the Defendant; upon which Verdict, or if the Plaintiff shall become nonsuited, or shall suffer a Discontinuance of his Action, Suit, or Information after the Defendant shall have appeared thereto, or if a Verdict shall pass against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his or their Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cases.

CXCI. Pro-

Plaintiff not to recover if Tender of Amends shall have been made, &c.

CXCI. Provided also, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, if Tender of sufficient Amends shall have been made, by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action is brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Directors not personally answerable for Acts legally done as Directors.

CXCII. And be it further enacted, That none of the Directors of the said Company hereby appointed or hereafter to be appointed under the Authority of this Act shall, by reason or means or on account of his being Party to, or making, signing, or executing in his Capacity of Director of the said Company, pursuant to this Act, any Contract or other Instrument for or on behalf of the said Company, or otherwise lawfully executing any of the Powers and Authorities given to the said Directors by this Act, be subject or liable to be sued, prosecuted, or impleaded, either collectively or individually, by any Person whomsoever in any Court of Law or Equity or elsewhere; and that the Bodies, Goods, Chattels, Lands, or Tenements of the said Directors or any of them shall not, by reason, on account, or in consequence of any such Contract or other Instrument so entered into or made, signed or executed, by them or any of them as aforesaid, or any other lawful Act which shall be done by them or any of them in the Execution of any of the Powers and Authorities given to them or any of them by this Act, be liable to be arrested, seized, detained, or taken in Execution, but that in every such Case any Person making any Claim or Demand upon the said Company or upon any of the Directors thereof under or by virtue of any such Contract or Instrument or other lawful Act, may sue and implead the said Company in like Manner as if such Contract, Instrument, or other Act had been entered into and executed and done under the Common Seal of the said Company.

For the Indemnity of the Directors.

CXCIII. And be it further enacted, That the Directors, their Heirs, Executors, and Administrators, shall be indemnified and saved harmless from and against all Payments made or Liability incurred, and all Acts, Deeds, Matters, and Things executed, done, or ordered, and all Sums of Money, Losses, Costs, Charges, and Damages which they shall incur in the Execution of the Powers and Authorities hereby granted to them, and they shall be so indemnified out of the Assets for the Time being of the said Company, and, if necessary, by Calls for that Purpose of the Capital which may remain unpaid, and the Directors for the Time being of the said Company shall apply the then existing Funds, Assets, and Capital of the said Company for the Purposes of such Indemnity and Reimbursement.

Railway not to cross the Premises of the Crown without Consent of the Treasury or Commissioners of Woods and Forests.

CXCIV. Provided always, and be it further enacted, That nothing within this Act contained shall extend, or be deemed or construed to extend, to authorize or enable the said Company to make or carry the said Railway across any Hereditament or Premises belonging to or in the Occupation of the Crown, without the Consent of the Lords Commissioners of Her Majesty's Treasury, or of the Commissioners of Her Majesty's Woods and Forests, Land Revenues, Works, and Buildings, being first obtained in Writing for that Purpose.

Public Act.

CXCV. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHE-

SCHEDULE to which this Act refers.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.

COUNTY OF DUBLIN.

Parish of Saint James.

1	Inchicore -	Mrs. Armstrong in her own Right.	Margaret Drummond.	Margaret Drummond.	Field and Stable.
2	Ditto -	Mrs. Armstrong as Guardian for her Children.	Ditto -	Daniel O'Callahan.	House.
3	Ditto -	Ditto -	Ditto -	James Groves -	House.
4	Ditto -	Ditto -	James Patrick M'Kee.	James Patrick M'Kee.	House.
5	Ditto -	Ditto -	Patrick Lacy -	Patrick Lacy -	House.
6	Ditto -	Board of Works or the County Grand Jury.	- - -	Guard-house to the Gaol.	House.
7	Ditto -	Mrs. Armstrong as Guardian for her Children.	James P. M'Kee	James Patrick M'Kee.	House and Garden.
8	Ditto -	Ditto -	Patrick Lacy -	Patrick Lacy -	Garden.
9	Ditto -	Ditto -	James Patrick M'Kee.	Unoccupied -	House.
10	Ditto -	Ditto -	Ditto -	James Patrick M'Kee.	House.
11, 12	Ditto -	Ditto -	Ditto -	Ditto -	House, Garden, and Yard.
13	Ditto -	Ditto -	Patrick Lacy -	William Burke -	House.
14	Ditto -	Ditto -	Ditto -	Edward Allison	House.
15	Ditto -	Ditto -	Ditto -	Joseph Smith -	House.
16	Ditto -	Ditto -	Ditto -	William Allison	House.
17, 18, 20, 21, 22, 23, 24, 27, 28, 29.	Ditto -	Ditto -	John Gerraty -	John Gerraty -	Fields.
19	Ditto -	Ditto -	Obadiah Willans as Trustee for Congregation.	- - -	Meeting House and Yard.
25	Ditto -	Ditto -	John Gerraty -	Ditto -	Farmhouse.
26	Ditto -	Ditto -	Ditto -	Ditto -	Outbuildings.
30, 38	Ditto -	Ditto -	William Barry Fitzgerald.	William Barry Fitzgerald.	Plantation.
31	Ditto -	Ditto -	Ditto -	Ditto -	Garden.
33, 34, 35	Cow and Calf and Golden Bridge, Part of Inchicore.	Lord Cloncurry, John Ennis.	William Stewart, Joseph Moore Labarte, Eleanor Kavanagh.	Eleanor Kavanagh.	Fields.
36, 37	Ditto -	Ditto -	Ditto -	Ditto -	Field and Stream.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
39, 40, 42, 43, 44, 45, 48, 50, 51, 58, 59.	Butchers Arms, Part of Inchicore.	Lord Cloncurry	William Stewart, Michael Thunder, James Power, M.P., John Tims, and Patrick Lacy.	Patrick Lacy -	Fields.
41	Ditto -	Ditto -	Ditto -	—— Corcoran -	Cabin.
46	Ditto -	Ditto -	Ditto -	Patrick Lacy -	House and Farm Buildings.
47	Ditto -	Ditto -	Ditto -	Ditto -	
49	Ditto -	Ditto -	Ditto -	John Tims -	Field and House.
53	Ditto -	Ditto -	William Stewart, Michael Thunder, James Power, M. P., Patrick Lacy.	Patrick Lacy -	Cabin.
54, 55	Ditto -	Ditto -	Ditto -	Ditto -	Field and Ice-house.
60	Ditto -	Ditto -	William Stewart, Michael Thunder, and James Savage.	T. & L. Crosthwaite -	Field.
61	Ditto -	Ditto -	Ditto -	Ditto -	Field.
Parish of Ballyfarmot.					
56	Ballyfarmot -	Sir Compton Domville, Baronet.	Jane Moore -	Jane Moore -	House and Garden.
57	Ditto -	Ditto -	Ditto -	Ditto -	Field.
1, 4	Ditto -	Ditto -	Thomas Lynch	Thomas Lynch	Fields.
3	Ditto -	Ditto -	Ditto -	Ditto -	Garden.
5, 7, 8, 9	Ditto -	Viscount Palmerston.	W. C. Brown, Thomas Goselin, James Coyle.	James Coyle -	Fields.
6	Ditto -	Ditto -	W. C. Brown, Patrick Lacy.	Patrick Lacy -	Field.
Parish of Palmerstown.					
1, 2, 4, 5, 7	Palmerstown -	Viscount Palmerston.	W. C. Brown, Andrew Conway.	Andrew Conway	Fields.
6	Ditto -	Ditto -	Ditto and John Gaynor.	John Gaynor -	Field.
8, 9, 12	Ditto -	Ditto -	W. C. Brown, Major R. Wilcox, Patrick Farrell.	Patrick Farrell -	Fields.
10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21.	Ditto -	Ditto -	W. C. Brown, Major Robert Wilcox.	Reverend W. Wilcox.	Fields and Occupation Road.
22, 23, 24, 29, 31, 32.	Ditto -	Ditto -	Earl Donoughmore.	Earl Donoughmore.	Fields.
25	Ditto -	Ditto -	Ditto -	Ditto -	Private Road to Farmhouse.
26, 28, 30	Ditto -	Ditto -	Jane Fitzsimon -	Jane Fitzsimon -	Fields.
27	Ditto -	Ditto -	Ditto -	Ditto -	House and Field.
33	Ditto -	Ditto -	Earl Donoughmore.	Earl Donoughmore.	Avenue.
34, 35, 36, 38, 40, 44.	Ditto -	Ditto -	James Farrell -	James Farrell -	Fields.
37	Ditto -	Ditto -	- - -	John Hughes -	Field.
39	Ditto -	Ditto -	Earl Donoughmore.	Earl Donoughmore.	Stable.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
41	Palmerstown -	Viscount Palmerston.	The Representatives of John Walsh, Michael Fitzpatrick, and Thomas Kelly.	Thomas Kelly -	Field.
42	Ditto -	Ditto -	James Farrell -	James Farrell, George Walsh.	Garden and Cabin.
45, 46, 47, 48, 49, 50, 51, 52, 53, 54.	Ditto -	Ditto -	The Representatives of John Walsh, Michael Fitzpatrick.	Michael Fitzpatrick.	Fields.
55, 56, 57, 58, 59.	Ditto -	Ditto -	The Representatives of John Walsh.	Benjamin Glorney.	Fields.
1, 2, 3, 4	Cursis Stream	Ditto -	P. L. Patrick -	Richard Spear -	Fields.
5	Ditto -	Ditto -	Patrick Clarke, James Hoyle.	James Hoyle -	Quarry and Field.
6	Ditto -	William Pilsworth.	Edward Fitzsimon	Edward Fitzsimon	Quarry and Field.
1, 2, 3	Irishtown -	William Pilsworth and Edward G. Pilsworth.	James Hamilton	James Hamilton	Fields.
4, 5, 6, 7	Ditto -	John Godley -	Ditto -	Ditto -	Fields and private Road.
		Parish of Esker.			
1, 2,	Ballydowd -	Colonel Thomas White.	Patrick Spring -	Patrick Spring -	Fields.
1, 4, 5	Ballyowen -	Ditto -	Richard Spear -	Richard Spear -	Fields.
3	Ditto -	Ditto -	Ditto -	Ditto -	Field and Outbuildings.
6	Ditto -	Colonel John Staunton Rochfort.	James Carthrew	James Carthrew	Lawn.
7	Ditto -	Ditto -	Ditto -	Ditto -	Field.
8, 9	Ditto -	Ditto -	Major John Wills	Major John Wills	Fields.
10, 11	Ditto -	Ditto -	Joseph Smith -	Joseph Smith -	Fields.
1	Esker - -	Edward Mayne	Major John Wills	Major John Wills	Field.
2	Ditto -	Ditto -	Ditto -	Ditto -	Lawn.
3	Ditto -	Ditto -	Ditto -	Ditto -	Garden.
4, 6	Ditto -	Archbishop of Dublin.	Reverend Henry Stewart (Incumbent).	Reverend Henry Stewart (Incumbent).	Fields.
5	Ditto -	Ditto -	Ditto -	Thomas Leonard	Field.
8	Ditto -	Edward Mayne	George Clarke	George Clarke -	Garden.
9	Ditto -	Ditto -	Ditto -	Ditto -	House and Farm Buildings.
10, 11, 12, 13, 17, 18.	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
14, 16	Ditto -	Ditto -	Henry Hughes -	Henry Hughes	Fields.
19	Ditto -	Ditto -	- - -	—— Sturgeon	Cottage.
20	Ditto -	Archbishop of Dublin.	Reverend Henry Stewart (Incumbent).	Reverend Henry Stewart (Incumbent).	Burial Ground of Esker Church
21	Ditto -	Edward Mayne	Major John Wills	Major John Wills	Field.
1ª	Ditto -	Ditto -	Thomas Hall -	Thomas Hall -	Field.
2ª	Ditto -	Ditto -	- - -	Joseph Monaghan	Field and Cottage
3ª	Ditto -	Ditto -	- - -	Lawrence Doyle	Cabin.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
		Parish of Lucan.			
4	Dodsborough	Lady Colthurst	George Duff, Cornelius O'Brien	Thomas Keegan	Cabin.
5, 9, 10	Ditto -	Ditto -	Ditto -	Cornelius O'Brien	Fields.
6, 7	Finstown -	John Ball -	Graves Archer, J. Smith, William Rabb.	William Rabb -	Fields.
11, 12	Dodsborough	Lady Colthurst	George Duff, John Bingham.	John Bingham -	Fields.
14	Finstown -	John Ball -	Graves Archer, J. Smith, William Gorman.	William Gorman	House, Garden, and Meadows.
1, 2, 4, 5, 6[a]	Ditto -	Ditto -	Graves Archer, J. Smith, and John Rorke.	John Rorke -	Fields.
3	Ditto -	Ditto -	Ditto -	Patrick Daly -	Cabin.
		Parish of Arderrig.			
1, 2, 3, 4, 5, 6, 7, 8, 9.	Arderrig -	The Earl of Essex.	John Conolly, Leonard Hugh Eccles, John Rorke.	John Rorke -	Fields.
		COUNTY OF KILDARE.			
		Parish of Celbridge.			
1, 2, 2[a], 2[b]	Stackumney	Colonel Connolly	John Van Homrigh, Sir William Lambert Crombie, Baronet, George Wardle.	George Wardle	Fields.
3, 4[c], 5, 6, 8, 13.	Ditto -	Ditto -	John Van Homrigh, Sir William Lambert Crombie, and Richard Whitmore.	Richard Whitmore.	Fields.
4	Ditto -	Ditto -	Ditto -	Ditto -	House and Outbuildings.
4[a]	Ditto -	Ditto -	Ditto -	Ditto -	Lawn.
4[b]	Ditto -	Ditto -	Ditto -	Ditto -	Garden.
9	Ditto -	Ditto -	Henry Murphy -	Henry Murphy -	Field and Limekiln.
10, 11	Ditto -	Ditto -	John Van Homrigh, Sir W. L. Crombie, Baronet, and Michael Saunders.	Michael Saunders	Fields.
12	Ditto -	Ditto -	Ditto -	Edward Burns -	Field.

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		Parish of Donacumper.			
1, 1ª, 2, 3	Elm Hall or Leighlinstown	John Van Homrigh.	George Rous Keogh, Thomas O'Meara.	Thomas O'Meara	Fields.
4, 5	Ditto -	Ditto -	George Rous Keogh, Matthew Cooney.	Matthew Cooney	Fields.
1, 2, 3, 4	Baulscot -	Mrs. Mills, Guardian of Richard Mills.	Major Burrowes	Major Burrowes	Fields.
		Parish of Celbridge.			
1	Commons of Celbridge.	Garret M'Grath	- - -	Garret M'Grath	Field.
1ª	Ditto -	Lord Cloncurry	- - -	Hugh Byrne -	Field.
4	Ditto -	Ditto -	- - -	Patrick Masterson	Field and Cottage.
7	Ditto -	Garret M'Grath	- - -	Garret M'Grath	Field and Cottage.
		COUNTY OF DUBLIN.			
		Parish of Newcastle.			
2	Commons of Celbridge.	Lord Cloncurry	- - -	Hugh Byrne -	Field and Cottage.
2ª, 2ᵇ	Ditto -	Thomas C. Yeates	The Representatives of Ignatius Moore.	The Representatives of Ignatius Moore.	Fields.
5	Ditto -	Lord Cloncurry	- - -	Patrick Masterson	Field.
		Parish of Saggard.			
1, 2, 3, 4	Ringwood -	Corporation of Dublin.	William Sherlock, Charles Jackson.	Charles Jackson	Fields.
		COUNTY OF KILDARE.			
		Parish of Kill.			
1, 1ª, 2	Commons of Lyons.	Lord Cloncurry	Thomas Hannan	Thomas Hannan	Fields
3	Ditto -	Thomas Flynn -	- - -	Thomas Flynn -	Cottage and Field.
1, 2, 2ª, 2ᵇ, 4	Carneystown -	Lord Cloncurry	Thomas Hannan	Thomas Hannan	Fields.
3	Ditto -	Ditto -	Ditto - -	Ditto -	Field and Haggard.
5	Ditto -	Ditto -	- - -	Barnaby Burns -	Field.
6	Ditto -	Ditto -	- - -	Edward Carrol -	Field.
7	Ditto -	Ditto -	Elizabeth Flynn	Elizabeth Flynn	Field.
8	Ditto -	Ditto -	- - -	- - -	Lane.
9	Ditto -	Ditto -	- - -	Edward Carrol -	Field.
9ª	Ditto -	Ditto -	- - -	Denis Farrel -	Field.
9ᵇ	Ditto -	Ditto -	- - -	Michael Byrne -	Field.
10, 14	Ditto -	Ditto -	William Manning	William Manning	Fields.

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11	Carneystown -	Lord Cloncurry	William Manning	Thomas Ferrall	Cabin.
12	Ditto -	Ditto -	- - -	- - -	Private Road.
13	Ditto -	James Splaine Biggs.	John Buggles -	John Buggles -	Field.
1, 2, 3, 3[a], 3[b]	Dangan -	Ditto -	Thomas Jackson	Thomas Jackson	Fields.
5	Ditto -	Ditto -	Ditto -	Ditto -	Field and House
4, 5, 6, 7, 9	Commons of Lyons.	Ditto -	William Manning	William Manning	Fields.
8	Ditto -	Ditto -	- - -	Lord Cloncurry	Plantation.
11	Ditto -	Henry Pettigrew	John Buggles -	John Buggles -	Field.
12, 13	Ditto -	Eliezer Fawcett	- - -	Eliezer Fawcett	Fields.
14	Ditto -	Richard Fynes -	- - -	Richard Fynes -	Garden.
15	Ditto -	Lord Cloncurry	- - -	Richard Fynes, John Buggles.	Houses.
			Parish of Donacumper.		
1, 2	Reeves' -	Richard Maunsel	Mary Anne Broe	Mary Anne Broe	Fields.
1, 2	Ballycommon	Mrs. Chapman -	William Broe -	William Broe -	Fields.
			Parish of Castle Dillon.		
3, 4, 11, 13	Wheat Field, Part of Tipperstown.	Henry Pettigrew	William P. Segrave.	William P. Segrave.	Fields.
5, 6, 7, 8, 9, 10	Ditto -	Ditto -	Charles Roper -	Charles Roper -	Fields.
12	Ditto -	Ditto -	William P. Segrave.	William P. Segrave.	Field and Lawn.
			Parish of Whitechurch.		
1	Clownings -	Hugh Barton -	Joseph Jagger -	Joseph Jagger -	Field and Quarry.
2, 3	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
5, 6, 7	Ditto -	Ditto -	- - -	Peter Turner -	Fields and Occupation Road.
8, 9, 10	Ditto -	Ditto -	Henry Eagar -	Henry Eagar -	Fields.
11	Ditto -	Ditto -	Joseph Jagger -	Michael Byrne -	Field and Cabin.
12	Ditto -	Ditto -	Ditto -	Joseph Jagger -	House and Garden.
1, 2, 3, 5	Whitechurch	Hugh Barton -	- - -	Joseph Atkinson	Fields.
1, 2, 3, 4	Barronrath -	Captain Patterson	Mary Anne Broe	Mary Anne Broe	Fields.
1, 2	Turnings -	William Fletcher	Samuel Mills -	Samuel Mills -	Fields.
1, 2, 3, 4, 5	Killenmore -	Earl of Mayo	John Watts -	Patrick Murtagh	Fields.
			Parish of Bodenstown.		
1, 2	Daars -	Wilson's Hospital	Samuel Mills -	Samuel Mills -	Fields.
1, 2	Sherlock's Town	The Earl and Countess of Miltown.	William Sherlock, Benjamin Reed.	Benjamin Reed -	Fields.
3, 4	Ditto -	Ditto -	W. Sherlock, S. Holt.	Samuel Holt -	Fields.
6, 7, 8, 9, 10, 11.	Ditto -	Ditto -	William Sherlock, George Watts, Thomas Hayden.	Thomas Hayden	Fields.

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		Parish of Kill.			
1	Sallins -	The Earl of Mayo	- - -	Thomas Kinchella.	Field and Quarry.
1a, 2, 2a	Ditto -	Ditto -	- - -	Ditto -	Fields.
3	Ditto -	Grand Canal Company.	- - -	Grand Canal Company.	Waste Ground.
4	Ditto -	Ditto -	- - -	Ditto -	Canal and Banks.
5, 6, 7, 8	Ditto -	The Earl of Mayo	Andrew Doyle -	Andrew Doyle -	Fields.
9	Ditto -	Ditto -	Samuel Holt -	Samuel Holt -	Field.
		Parish of Naas.			
1	Monreath -	The Earl of Mayo	Mrs. Martin, Representative of S. Meekings.	Patrick Byrne -	House and Garden.
1a, 2	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
3, 5	Ditto -	Ditto -	Ditto -	John Hannon -	Fields.
4	Ditto -	Ditto -	Ditto -	Ditto -	House and Garden.
1, 2, 2a, 3	Osberstown -	The Reverend John Digby.	John Hughes -	John Hughes -	Fields.
5, 6, 7	Ditto -	Ditto -	Thomas Kinchella.	Thomas Kinchella.	Fields.
8	Ditto -	Mrs. Slater -	- - -	Michael Gallagher.	Field.
9	Ditto -	Grand Canal Company.	- - -	Samuel M'Daniel.	Field.
10	Ditto -	Ditto -	- - -	Grand Canal Company.	Canal and Banks.
11	Ditto -	Ditto -	- - -	Ditto -	Waste Ground.
12, 13	Ditto -	The Reverend John Digby.	James Corcoran	James Corcoran	Fields.
14, 15	Ditto -	Ditto -	Edwd. Wilson and R. Creed.	Robert Creed -	Fields.
16, 17, 18	Ditto -	Ditto -	Simon Nolan -	Simon Nolan -	Fields.
19, 20, 21	Ditto -	Ditto -	Andrew Doyle -	Andrew Doyle -	Fields.
22	Ditto -	Ditto -	- - -	John Tyrrell -	Field.
23	Ditto -	Ditto -	- - -	James Byrne -	Field.
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13.	Decoy, Part of Osberstown.	Ditto -	- - -	Andrew Doyle -	Fields and Occupation Road.
14	Raving, Part of Decoy.	Ditto -	- - -	James Kenny -	Field.
15, 16, 18	Ditto -	Ditto -	Andrew Doyle -	Andrew Doyle -	Fields.
17	Ditto -	Ditto -	Ditto -	Ditto -	Farmhouse and Buildings.
1, 2, 3, 4	Jigginstown -	Earl Fitzwilliam	Andrew T. Montgomery and Matthew Fay.	Matthew Fay -	Fields.
5, 6, 7	Ditto -	Ditto -	A. T. Montgomery and Michael Tracy.	Michael Tracy -	Fields.
8	Ditto -	Ditto -	Ditto -	Owen Lalor -	Field.

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			Parish of Caragh.		
1, 2, 3, 4	Halverstown -	Earl Fitzwilliam	A. T. Montgomery and Michael Tracy.	Michael Tracy and Peter Tracy.	Fields.
			Parish of Ladytown.		
1, 2, 4, 5, 6, 15, 18, 24, 25, 26, 28, 29.	Newhall -	Andrew Rorke -	Michael Cahill -	Michael Cahill -	Fields.
7, 8, 9, 10, 19, 20, 21, 23.	Ditto -	Ditto -	Thomas Flood -	Thomas Flood -	Fields.
22	Ditto -	Ditto -	Ditto -	Pat. M'Evoy -	Cabin.
12	Ditto -	Ditto -	Mary Walsh -	John Shaw -	Field.
13	Ditto -	Ditto -	Ditto -	Mary Walsh -	Field.
16, 17	Ditto -	Ditto -	Margaret Carney	MargaretCarney	Fields.
27	Ditto -	Ditto -	Michael Cahill -	Michael Cahill -	Farmhouse and Buildings.
1, 2, 3	Ladytown -	SirThomasMolyneaux, Baronet.	John Gray and Christopher Doogan.	ChristopherDoogan.	Fields.
4, 5, 6, 7, 14	Ditto -	Ditto -	Lord Allen and John D'Arcy.	John D'Arcy -	Fields.
8, 9, 10, 11, 13, 17, 18.	Ditto -	Ditto -	ChristopherDoogan.	ChristopherDoogan.	Fields.
12	Ditto -	Ditto -	Ditto -	Ditto -	Farmhouse and Buildings.
15	Ditto -	Ditto -	Lord Allen and John D'Arcy.	John D'Arcy -	House and Lawn.
16	Ditto -	Ditto -	- - -	Thomas Flood -	Field.
			Parish of Great Connell.		
1, 2, 3, 5, 6, 8	Lowistown -	Sir T. Molyneaux, Baronet.	Hugh Reilly -	Hugh Reilly -	Fields.
4	Ditto -	Ditto -	Ditto -	Patrick Might -	Field.
7	Ditto -	Ditto -	Ditto -	Ditto -	Cabin.
9	Ditto -	Ditto -	James Allen -	James Allen -	Field.
1, 18	Clownings -	TheEarl of Mayo	Edmond Mooney	Michael Foley, James and Peter Dunne.	Fields.
2, 3, 4, 5, 6, 14, 16, 17	Ditto -	Ditto -	Edmond Mooney and J. Conlan.	James Conlan -	Fields.
7	Ditto -	Ditto -	Edmond Mooney	Mary,Nicholas,and James Neary.	Field.
8, 9, 10, 11, 12.	Ditto -	Ditto -	Ditto -	Christopher Flood.	Fields.
13	Ditto -	Ditto -	Ditto -	Mary,Nicholas,and James Neary.	Farmhouse.
15	Ditto -	Ditto -	Edmond Mooney and J. Conlan.	James Conlan -	Field and Farmhouse.
1, 3, 4, 5, 21, 22, 24.	Great Connell	Thomas Eyre Powell.	Judith Cleary -	Judith Cleary -	Fields.
2, 6, 7, 8, 9, 10, 11, 20, 25, 28.	Ditto -	Ditto -	Timothy Burns -	Timothy Burns -	Fields.

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12	Great Connell	Thomas Eyre Powell.	ChristopherMarmion.	ChristopherMarmion.	Field.
14	Ditto -	Ditto -	Thomas Farrell -	Thomas Farrell, Christopher Mitchell.	House and Yard.
15, 16, 31	Ditto -	Ditto -	Ditto -	Thomas Farrell -	Fields.
17	Ditto -	Ditto -	- - -	- - -	The River Liffey.
18, 19	Ditto -	Ditto -	James Kelly and Hugh Reilly.	Hugh Reilly -	Fields.
23	Ditto -	Ditto -	Judith Cleary -	Judith Cleary -	Farmhouse.
26	Ditto -	Ditto -	James Kelly -	James Kelly -	Field.
27	Ditto -	Ditto -	Timothy Burns -	Timothy Burns -	Farmhouse.
29	Ditto -	Ditto -	Jeremiah Kelly -	Jeremiah Kelly -	House and Garden.
30	Ditto -	Ditto -	Ditto -	Ditto -	Field.
1, 2, 4, 5, 6, 7, 8.	Kilbealon -	Captain Butler -	Cornelius Hannon.	Cornelius Hannon.	Fields.
Parish of Morristown-biller.					
1, 2, 3, 5, 6, 13, 14.	Crootenstown	Charles Ryan and Simon Ryan.	- - -	Charles Ryan -	Fields and Occupation Road.
4	Ditto -	Ditto -	- - -	In hand - -	Cabin.
7, 8, 9, 11	Ditto -	Simon Ryan -	- - -	Simon Ryan -	Fields.
12	Ditto -	Ditto -	- - -	Ditto -	Field and Cabin
15	Ditto -	Charles Ryan and Simon Ryan.	- - -	Charles Ryan -	House.
16	Ditto -	Ditto -	- - -	Ditto -	Garden.
Parish of Great Connell.					
1, 2, 3, 4, 5	Walshestown	Captain George Bryan.	Eliza Fagan -	Eliza Fagan -	Fields.
1	Curragh of Kildare.	His Majesty -	- - -	- - -	Uninclosed Land.
Parish of Ballysax.					
1	Ballysax -	Mrs. Jane Digby Annesley.	Anastasia Ivory	Anastasia Ivory	Farmhouse and Buildings.
2, 3, 4	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
5, 6	Ditto -	Ditto -	Peter Ivory -	Peter Ivory -	Fields.
7, 8, 9, 10, 11.	Ditto -	Ditto -	James Moran -	James Moran -	Fields and Occupation Road
12	Ditto -	Ditto -	John Kane -	John Kane -	Field.
13, 14	Ditto -	Ditto -	Edward Moran -	Edward Moran -	Fields.
16	Ditto -	Ditto -	Hugh Moughan and James Carey.	James Carey -	Field and Farmhouse.
17, 18, 19,	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
20, 21	Ditto -	Ditto -	H. Moughan, A. Conlan.	Andrew Conlan	Fields.
22, 24	Ditto -	Richard Burchell or Margaret Burchell.	Andrew Conlan -	Ditto -	Fields.

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22a	Ballysax -	Richard Burchell or Margaret Burchell.	Andrew Conlan	Andrew Conlan	House, Garden, and Haggard.
25	Ditto -	Mrs. Jane Digby Annesley.	H. Moughan, John Cullen.	John Cullen -	Field.
26	Ditto -	Ditto -	John Kane -	John Kane -	Field.
27	Ditto -	Ditto -	- - -	Maurice Behan	Field.
28	Ditto -	Ditto -	James Moran -	James Moran -	Field.
29	Ditto -	Ditto -	- - -	Christopher Ward.	Cabin.
30	Ditto -	Ditto -	J. Kane - -	John Kane -	Field.
31	Ditto -	Ditto -	- - -	James Hughes -	Cabin and Garden.
		Parish of Carne.			
1, 2, 3, 4, 5, 15, 16, 17.	Martinstown	Robert Burrowes	William Murns -	William Murns -	Fields.
2a	Ditto -	Ditto -	Ditto -	Ditto -	House and Offices.
		Parish of Ballyshannon.			
6	Ditto -	Ditto -	William Coatsworth.	William Coatsworth.	Plantation and Meadow.
7, 8, 19	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
9	Ditto -	Ditto -	Ditto -	Ditto -	Meadow and Avenue.
11	Ditto -	Ditto -	Patrick Byrnes -	Patrick Byrnes -	Field.
12, 14, 22	Ditto -	Ditto -	Martin Mulcundra.	Martin Mulcundra.	Fields.
13	Ditto -	Ditto -	Ditto -	Ditto -	Field, House, and Garden.
18	Ditto -	Ditto -	- - -	William Alford -	Field.
20	Ditto -	Ditto -	Patrick Byrnes -	Patrick Byrnes -	Field and Farmhouse.
21	Ditto -	Ditto -	Ditto -	Ditto -	Field.
1, 2, 3, 4, 5, 6, 18, 19, 20.	Ballyshannon	Barbary Kennedy.	Patrick Fitzgerald.	Patrick Fitzgerald.	Fields.
8, 9, 21, 22	Ditto -	Sir William Palmer, Baronet.	Thomas Murns -	Thomas Murns -	Fields.
10, 11, 12	Ditto -	Ditto -	CatherineConlan	CatherineConlan	Fields.
13, 14, 23, 24	Ditto -	Ditto -	John Gannon, WilliamBryan, Thomas Flynn, and Mary Toole.	Thomas Flynn -	Fields.
15, 16, 17	Ditto -	Ditto -	Thomas or James Flanagan.	Thomas or James Flanagan.	Fields.
25	Ditto -	Ditto -	Michael Smith -	Michael Smith -	Field.
1, 2, 3	Mullaghmine	Ditto -	Ditto -	Ditto -	Fields.
5, 6	Ditto -	Barbary Kennedy.	- - -	Barbary Kennedy.	Fields.
7	Ditto -	Ditto -	- - -	Ditto -	Plantation.
9	Ditto -	Sir William Palmer.	- - -	William Cook -	Wet Bottom Pasture and Bog.
10	Ditto -	Ditto -	- - -	Patrick Murns -	Ditto.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
11	Mallaghmine -	Sir William Palmer.	- - -	Patrick or Michael M'Laughlan.	Wet Bottom Pasture and Bog.
12	Ditto -	Ditto -	- - -	Barbary Kennedy.	Ditto.
13	Ditto -	Ditto -	- - -	Michael Smith -	Ditto.
14	Ditto -	Ditto -	- - -	Patrick Fitzgerald.	Ditto.
15	Ditto -	Ditto -	- - -	William Bermingham.	Ditto.
16	Ditto -	Ditto -	- - -	James Flanagan	Ditto.
1	Feeraun -	Georgina Magan and William Henry Magan.	John Hyland -	John Hyland -	Field.
		Parish of Kilrush.			
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.	Kilrush -	Captain Edward Fox Fitzgerald.	Representatives of Christopher Kelly, Jane Kelly, Edward Kelly, and John Kelly.	Jane Kelly, Edward Kelly, and John Kelly.	Fields.
12, 13, 14, 15, 18.	Ditto -	Ditto -	Representatives of Colonel Fitzgerald, Patrick Maher.	Patrick Maher -	Fields.
16, 17	Ditto -	Ditto -	William Murphy	William Murphy	Fields.
		Parish of Fontstown.			
1, 2, 3, 4, 5, 6.	Boulieabeg -	Marquis of Drogheda (a Minor).	Richard Jackson	Richard Jackson	Fields.
7, 13, 14, 15, 16, 17, 18, 19.	Ditto -	Ditto -	Garret Phelan alias Whealan.	Garret Phelan alias Whealan.	Fields.
8, 9	Ditto -	Ditto -	John Whealan -	John Whealan -	Fields.
10, 11, 12	Ditto -	Ditto -	Martin Whealan	Martin Whealan	Fields.
21	Ditto -	Ditto -	- - -	John Timmins -	Field.
22	Ditto -	Ditto -	Edward Horan, James Loghan.	James Loghan -	Field.
23	Ditto -	Ditto -	Edward Horan, Pat. Burke.	Patrick Burke -	Field.
24, 26	Ditto -	Ditto -	Edward Horan -	Edward Horan -	Fields.
25, 27, 28	Ditto -	Ditto -	Isaac Jackson -	Isaac Jackson -	Fields.
29, 30	Ditto -	Ditto -	- - -	Pat. and John Timmins.	Fields.
		KING'S COUNTY.			
		Parish of Fontstown.			
1, 2, 3	Ardellis -	Marquis of Drogheda (a Minor).	Edward Walsh and John Cavanagh.	John Cavanagh -	Fields.
4	Ditto -	Ditto - -	Matthew Kelly and Martin Whealan.	Martin Whealan	Field.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
5, 6, 7	Ardellis -	Marquis of Drogheda (a Minor).	Matthew Kelly -	Matthew Kelly -	Fields.
8, 9, 10, 11	Ditto -	Nathaniel Hone	Edward Walsh -	John Doolan -	Fields.
13	Ditto -	Ditto -	- - -	- - -	Walsh's Avenue.
14	Ditto -	Ditto -	Edward Walsh -	Laurence Dunphy	Field.
15, 16	Ditto -	Ditto -	Ditto and Patt. Connor.	Patrick Connor -	Fields.
17, 18	Ditto -	Ditto -	Edward Walsh -	Richard Walsh -	Fields.
19	Ditto -	Ditto -	Ditto -	Edward Walsh -	House.
20	Ditto -	Ditto -	Ditto -	Patrick Connor -	Fields.
21, 22, 23	Ditto -	Ditto -	Ditto -	Timothy Masterson	Fields.

COUNTY OF KILDARE.

Parish of Narraghmore.

1, 2, 3, 4, 5, 6.	Tinnekill -	Representatives of Colonel Thomas Fitzgerald.	Patrick Butterfield.	Patrick Butterfield.	Fields.
7	Ditto -	Ditto -	Ditto -	Ditto -	Private Lane or Road.
1	Ballinabarna -	Michael M'Dermot.	William Lewis -	John Nolan -	Field.
2	Ditto -	Ditto -	Ditto -	John Nolan -	Field.
3	Ditto -	Ditto -	Ditto -	Michael Brophy	Garden.
4	Ditto -	Ditto -	Ditto -	Edward Denny -	Field.
1, 2, 3, 4, 6	Skerris -	Joseph Laphan -	- - -	Joseph Laphan -	Fields.
5	Ditto -	Representatives of Colonel Fitzgerald.	Mark Travers -	Mark Travers -	Field.
1, 2, 3, 6, 7	Rathgrumly -	Thomas Hayes -	Representatives of Colonel Fitzgerald and James Lea.	James Lea -	Fields.
4	Ditto -	Ditto -	Ditto -	Timothy Bryan -	Field and House.
5	Ditto -	Ditto -	Ditto -	William Carroll	Field and House.
8, 9	Ditto -	Ditto -	Ditto and Roger Hyland.	Roger Hyland -	Fields.
10	Ditto -	Ditto -	Ditto and James Neal.	James Neal -	Field.
11	Ditto -	Ditto -	Ditto -	Peter Kelly -	Field.

Parish of Kilberry.

2, 3	Blackwood -	Duke of Leinster	Representatives of Colonel Fitzgerald and James Neal.	James Neal -	Fields.
4, 5, 6, 7, 8	Ditto -	Ditto -	Ditto and Roger Hyland.	Roger Hyland -	Fields.

Parish of Timolin.

1	Kyleavotha -	Duke of Leinster	Michael Genowd	Michael Genowd	Field.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
		Parish of Kilberry.			
1, 2, 3, 4	Aughanure -	Duke of Leinster	George Home -	George Home -	Fields.
1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 14, 15.	Ardmore -	Ditto -	John Butler -	John Butler -	Fields.
12	Ditto -	Ditto -	Ditto -	Ditto -	Farmhouse.
13	Ditto -	Ditto -	Ditto -	Ditto -	Haggard.
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12.	Geraldine or Tullagory.	Ditto -	Representatives of Colonel Fitzgerald.	Mrs. Eliza Fitzgerald.	Fields.
13, 14	Ditto -	Ditto -	Anthony Reeves	Anthony Reeves	Fields.
15	Ditto -	Ditto -	John Byrne -	John Byrne -	Field.
6, 17, 18	Ditto -	Ditto -	The Representatives of Colonel T. Fitzgerald.	Pat. Shannon -	Fields.
19, 20	Ditto -	Ditto -	Ditto -	John Dunne -	Fields.
		Parish of Saint Michael's.			
1, 2	Part of Athy Lands called Gallows Hill.	Duke of Leinster	John Byrne -	John Byrne -	Fields.
3, 4, 5	Ditto -	Ditto -	Bridget and Hugh Osborne.	Bridget and Hugh Osborne.	Fields.
7	Ditto -	Sir John Tylden and Theobald Walsh.	Ursula Goold -	Andrew Brien -	Field.
8, 13, 14	Ditto -	Ditto -	Ditto -	Thomas Osborne	Fields.
9, 10	Ditto -	Duke of Leinster	Anthony Reeves	Anthony Reeves	Fields.
11	Ditto -	Ditto -	Ditto -	Ditto -	Gravel Pit.
15	Ditto -	Ditto -	Ditto -	John Byrne -	Field.
16	Ditto -	Ditto -	Ditto -	WilliamSheridan, in Trust for R. Whealan (a Minor).	Field.
1	Athy Lands -	Ditto -	Mary Blackney -	Mary Blackney -	Field.
2ª	Ditto -	Ditto -	Edward Nowles -	Edward Nowles	Field.
2	Ditto -	Ditto -	- - -	Thomas Loughnane.	House.
3, 4, 7	Ditto -	Ditto -	William Murphy	William Murphy	Fields.
5, 6, 8, 9	Ditto -	Ditto -	Ursula Goold -	Ursula Goold -	Fields.
10	Ditto -	Ditto -	- - -	- - -	Private Road.
10ª	Ditto -	Ditto -	Ditto -	Edward Dillon -	Field.
1	ChaunterLands	Dean and Chapter of Saint Patrick's, Dr. Wilson.	Colonel James Campbell, Ursula Goold.	Ditto -	Field.
2	Ditto -	Ditto -	Ditto -	James English -	Field.
3	Ditto -	Ditto -	Arthur Loftus and Reverend Charles Bristow.	ReverendCharles Bristow.	Field.
4	Ditto -	Ditto -	James Campbell, Ursula Goold.	James Bradley -	Field.
5	Ditto -	Ditto -	Ditto -	John Nolan -	Field.
6	Ditto -	Ditto -	Ditto -	Thomas O'Connor.	Field.
7	Ditto -	Ditto -	Ditto -	Pat. Drill -	Field.
8	Ditto -	Ditto -	Arthur Loftus -	Mark Cross -	Field.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
9	ChaunterLands	Dean and Chapter of SaintPatrick's, Dr. Wilson.	ColonelCampbell and Rebecca Johnstone.	Thomas Holehan	Field.
10	Ditto -	Duke of Leinster	Ditto -	John Foran -	Field.
11, 13, 14, 15	Ditto -	Dean and Chapter of Saint Patrick's, Doctor Wilson.	Colonel James Campbell, Ursula Goold.	William Murphy	Fields and private Road.
12	Ditto -	Ditto -	Colonel James Campbell, RebeccaJohnstone.	Thomas Keenan	Field.
17	Ditto -	Ditto -	Ditto -	Thomas Holehan	Field.
18	Ditto -	Ditto -	Ditto -	Widow Judith Byrne.	Field.
10	Ditto -	Ditto -	Ditto -	Michael Murray	Field.
1	Newtown,aSub-denomination of Athy Lands.	Duke of Leinster	John Lord -	John Lord -	Field.

Parish of Saint John.

2	Ditto -	Barrow Navigation Company.	- - -	Barrow Navigation Company.	Barrow Navigation Canal and Banks.
3	Ditto -	Duke of Leinster	John Lord -	John Lord -	Island-field.
4	River Barrow -	Barrow Navigation Company.	- - -	Barrow Navigation Company.	River Barrow and Banks.
1	Bleachyard, or the Bleach, a Sub-denomination of Athy Lands	Duke of Leinster	Mary Mansergh, Dorothea Mansergh.	Joseph Molloy -	Field.
2, 3, 4, 5, 7	Ditto -	Dean and Chapter of Saint Patrick's, Doctor Wilson,	Colonel James Campbell, Mary Mansergh, and Dorothea Mansergh.	Joseph Molloy -	Fields.
1, 2, 3, 4, 5, 6	Andrew Chaunter Lands.	Ditto -	Colonel J. Campbell, the Representatives of Thomas Beard.	The Representatives of Thomas Beard.	Fields.
1	Thonlagee or Fort Barrington.	Duke of Leinster	SamuelMills, WilliamGoslin, Representatives of Colonel Fitzgerald and Wheeler Barrington.	Wheeler Barrington.	PlantedGround.
2	Bennet'sBridge	Ditto -	WilliamMills and William Goslin.	John Dunne -	Field.
3	Ditto -	Ditto -	Ditto -	John Neil -	Field.
4, 5, 6	Ditto -	Ditto -	Ditto -	William Keating	Fields.
8	Ditto -	Ditto -	Ditto -	John Keeffe -	Field.
9, 10	Ditto -	Ditto -	W. Mills and Wheeler Barrington.	Thomas Hogan	Fields.
11	Ditto -	Ditto -	Ditto -	MichaelCummins	Field.
12	Ditto -	Ditto -	Ditto -	Andrew Steynes	Field.
13, 14, 15, 16, 17, 18, 19.	Ditto -	Ditto -	Ditto -	Wheeler Barrington.	Fields.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
20	Bennet's Bridge	Duke of Leinster	W. Mills and Wheeler Barrington, Thomas Keeffe.	Thomas Keeffe -	Field.

QUEEN'S COUNTY.

Parish of Ballyadams.

1, 2, 18, 19	Heathfield or Garoona.	Representatives of Captain Maguire, Mrs. Maguire, John Collum Richards.	Thomas Whealan	Thomas Whealan	Fields.
3	Ditto -	Ditto -	Joseph Hennessy	Joseph Hennessy	Field.
4	Ditto -	Ditto -	Margaret Moore	Margaret Moore	Field.
5, 6, 7, 8, 9	Ditto -	Ditto -	John Moore -	John Moore -	Fields.
10	Ditto -	Ditto -	James Hogan -	James Hogan -	Field.
11, 12	Ditto -	Ditto -	- - -	Dennis M'Grath	Fields.
13	Ditto -	Ditto -	Michael Crosbie	Michael Crosbie	Field.
14	Ditto -	Ditto -	- - -	Pat. Dunne -	Field.
16	Ditto -	Ditto -	- - -	- - -	Private Road.
17	Ditto -	Ditto -	- - -	Thomas and L. Grace.	Field.

Parish of Tankardstown and Athy.

1	Shanganabeg -	The Reverend Arthur Malony.	George Roe -	William Langton senior.	Field.
2	Ditto -	Ditto -	Ditto, William Langton junior.	William Langton junior.	Field.
3, 4	Ditto -	Ditto -	Ditto, John Langton.	John Langton -	Fields.
5, 6, 7	Ditto -	Ditto -	Ditto, James Carthy.	James Carthy -	Fields.
8, 9, 10, 11, 12, 20, 21.	Ditto -	Ditto -	Ditto, Denis Langton.	Denis Langton -	Fields.
13, 14, 15, 16, 17.	Ditto -	Ditto -	Ditto, Patrick Nolan.	Patrick Nolan -	Fields.
18	Ditto -	Ditto -	- - -	- - -	Mill Race.
19[a]	Ditto -	Ditto -	G. Roe and J. Keating.	James Keating -	Field.
19	Ditto -	Ditto -	G. Roe and Denis Langton.	Denis Langton -	House.
22	Ditto -	Ditto -	Ditto -	Patrick Cullen -	Field.

Parish of Athy and Tankardstown.

1, 2, 3, 4, 5, 6.	Shanganamore	Marquis of Lansdowne.	- - -	Thomas Nolan -	Fields.
7, 24	Ditto -	Ditto -	James M'Hugh	James M'Hugh -	Fields.
8	Ditto -	Ditto -	Ditto -	Ditto -	Field and House.
9	Ditto -	Ditto -	Ditto -	James Keeffe -	Field.
10, 12, 13, 17, 18, 22, 25.	Ditto -	Ditto -	John Dunne -	John Dunne -	Fields.
11, 14, 26	Ditto -	Ditto -	Murtagh Dunne	Murtagh Dunne	Fields.
15	Ditto -	Ditto -	James and Thomas Connor.	James and Thomas Connor.	Field.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
19	Shanganamore	Marquis of Lansdowne.	Patrick Connor	Patrick Connor -	Field and House.
20, 21, 23	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
1	Ballinrea -	The Reverend A. Malony, Frederick Stewart Trench.	- - -	Hugh Langton -	Field.

Parish of Tankardstown.

1	Mountbrook -	The Reverend A. Malony, Frederick Stewart Trench.	William Braddle	James and Thomas Connor.	Field.
2	Ditto -	Ditto -	Thomas Whelan	Thomas Whelan	Field.
3, 4, 5	Ditto -	Ditto -	James Fennell	James Fennell -	Fields.
6	Ditto -	Ditto -	- - -	John Dunne	
7	Ditto -	Ditto -	- - -	Patrick Brennan	House and Field.

Parish of Killaban.

1	Moanmore or Big Bog, Part of Clonpiece.	Lord Annesley -	Mary and Patrick Murphy.	Mary and Patrick Murphy.	Field.
2	Ditto -	Ditto -	Patrick Lalor -	Patrick Lalor -	Wetbottom Pasture.
3	Ditto -	Ditto -	Ditto -	John Dowd -	Cabin and Potato Ground.
4	Ditto -	Ditto -	Mary and William Lalor.	Mary and William Lalor.	Wetbottom Pasture.
5	Ditto -	Ditto -	James Moran -	James Moran -	Field.
6	Ditto -	Ditto -	Mary and William Lalor.	Mary and William Lalor.	Field.
7	Ditto -	Ditto -	Hugh Lalor -	Hugh Lalor.	Field.
9	Ditto -	Ditto -	- - -	William Brennan	Field.
1	Cullenagh, partly in Tankardstown.	Lord Annesley, Robert Saunders.	William Moran -	William Moran -	Field.
2, 3, 4, ', 22, 27.	Ditto -	Ditto -	Hugh Moran -	Hugh Moran -	Fields.
6	Ditto -	Ditto -	Ditto -	Ditto -	House and Field.
8, 9	Ditto -	Ditto -	James Moran and William Moran.	James and William Moran.	Fields.
10	Ditto -	Ditto -	Ditto -	Ditto -	House and Field.
11, 12, 13, 15, 16.	Ditto -	Ditto -	Walter Mara -	Walter Mara -	Fields.
14	Ditto -	Ditto -	Ditto -	Ditto -	Cabins and Fields.
17, 18	Ditto -	Ditto -	James and Hugh Moran.	James and Hugh Moran.	Fields.
19, 20, 21, 29, 33, 34.	Ditto -	Ditto -	John Cavanagh -	John Cavanagh -	Fields and private Road.
23	Ditto -	Ditto -	Nicholas Hampart.	Nicholas Hampart.	House.
24	Ditto -	Ditto -	Timothy Doolan	Timothy Doolan	Field.
25	Ditto -	Ditto -	William Moran -	William Moran -	Field.
26	Ditto -	Ditto -	Patrick Duffe -	Patrick Duffe -	Field.
28	Ditto -	Ditto -	Patrick, Michael, and Daniel Lalor, Hugh Moran and John Keeffe.	Patrick, Michael, and Daniel Lalor, Hugh Moran and John Keeffe.	Joint Meadow.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
30	Cullenagh, partly in Tankardstown.	Lord Annesley, Robert Saunders.	Nicholas Hampart.	Nicholas Hampart.	Field.
31	Ditto -	Ditto -	Timothy Doolan and William Moran.	Timothy Doolan and William Moran.	Field.
32	Ditto -	Ditto -	- - -	- - -	Crompawn Mill Stream.
35, 36, 37	Ditto -	Ditto -	William Moran junior.	William Moran junior.	Fields.
38	Ditto -	Ditto -	William Moran senior.	William Moran senior.	Field.
39	Ditto -	Ditto -	- - -	Thomas Doogan	House and Field.
40	Ditto -	Ditto -	- - -	Timothy Doolan	House and Field.
1, 2, 3, 4, 5, 6, 7.	Ballinagar -	Mrs. Elizabeth Jennings, Executrix, and the Reverend William Jennings, Trustee, to the late William Jennings.	Robert Kenny -	Robert Kenny -	Fields.
1, 2, 3, 4	Clonebeacon -	Gerald Fitzgerald	Robert Fitzgerald and Peter M'Loughlin.	Peter M'Loughlin	Fields.
1	Killaban -	Ditto -	Ditto -	Darby Dunne -	Field.
1, 2, 3	Gurteen -	Thomas Hovenden.	James Bulger -	James Bulger -	Fields
1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15.	Teerearnan -	Moore Hovenden	- - -	Moore Hovenden	Fields.
6, 7, 8, 9	Ditto -	Ditto -	John Doogan -	John Doogan -	Fields.
17, 18, 19, 20, 21, 22.	Ditto -	Willoughby H. Carter.	Brian Burns -	Brian Burns -	Fields.
23	Ditto -	Ditto -	Joseph Tonstead	Joseph Tonstead	Field.
1, 2, 5	Coolenagh -	Vere Ward -	Ditto -	Ditto -	Fields
4	Ditto -	Ditto -	William Cooke -	William Cooke -	Field.
1, 2	Rossena -	The Earl Kenmare.	Ditto -	Timothy Casker	Fields.
3, 4, 7	Ditto -	Ditto -	Ditto -	William Cooke -	Fields.
5	Ditto -	Ditto -	Ditto -	Edward Purcell -	Field.
6	Ditto -	Ditto -	Ditto -	William Cooke -	Avenue.
1, 2, 3, 4	Ballinrahan -	Lord Galmoy -	William Cope Cooper.	W. C. Cooper -	Fields.
1, 2	Cooper Hill -	William Cope Cooper.	- - -	Ditto -	Fields.

Parish of Killeshin.

1, 2, 3, 4, 5, 6, 8, 9, 10.	Moorefield -	John Leckie and Martha Bowen.	Joseph Fishbourne.	Joseph Fishbourne.	Fields and Avenue.
7	Ditto -	Ditto -	Ditto -	Ditto -	Lawn.
3, 6	Heroudale -	Vere Ward -	William Fishbourne.	William Fishbourne.	Fields.
4	Ditto -	Ditto -	William Fishbourne and James Marshall.	James Marshall -	Field.
5	Coolhenry -	James Hans Hamilton.	William Fishbourne.	William Fishbourne.	Plantation.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
1, 2, 3, 4, 5[a], 7, 9.	Coolhenry -	James Hans Hamilton.	William Fishbourne.	William Fishbourne.	Fields.
1	Lambstown -	William Fishbourne.	- - -	Ditto -	Field.
1	Curraw -	Thomas J. Fetherston.	Johanna Donahoe	Johanna Donahoe	Field.
2, 3, 4, 5, 6	Ditto -	Ditto -	James Carey -	James Carey -	Fields.
1, 2, 3, 4	Killeshin -	Earl of Portarlington.	William Cope Cooper and John Waring.	John Waring -	Fields.
6	Ditto -	Ditto -	William Cope Cooper.	Matthew Ferrall	Field.
7	Ditto -	Ditto -	Ditto -	William M'Grath	Field and House.
8, 9, 10	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
11	Ditto -	Ditto -	Ditto -	Thomas Grant -	Field.
1	Springhill -	James Hans Hamilton.	Frederick M'Causland, Harmon Hering Cooper, D. H. Cooper, the Devisees of Benjamin Fisher and James Moore.	James Moore -	Field and House.
2, 3, 4	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
5	Ditto -	Ditto -	F. M'Causland, H. H. Cooper, D. H. Cooper, the Devisees of B. Fisher and Bartholomew Cummins.	Bartholomew Cummins.	Field.
6	Ditto -	Ditto -	Ditto -	Ditto -	House and Orchard.
7	Ditto -	Ditto -	Ditto -	Ditto -	Field.
8	Ditto -	Ditto -	Ditto -	James Cummins	Field.
9, 11, 12	Ditto -	Ditto -	F. M'Causland, H. H. Cooper, D. H. Cooper, the Devisees of B. Fisher and R. Lynham.	Richard Lynham	Fields.
10	Ditto -	Ditto -	Ditto -	Ditto -	House and Field
13, 14, 15, 16, 18, 26.	Ditto -	Ditto -	F. M'Causland, H. H. Cooper, D. H. Cooper, the Devisees of Benjamin Fisher and Major G. Johnstone Lennon.	George Johnstone Lennon.	Fields.
17	Ditto -	Ditto -	Ditto -	Ditto -	Field, House and Garden.
19	Ditto -	Ditto -	Ditto, Anthony Cummins.	A. Cummins -	Field.
20	Ditto -	Ditto -	Ditto -	John Behan -	Field.
22, 23, 24, 25.	Ditto -	Ditto -	Ditto, James Laparelle.	James Laparelle	Fields.
1, 2, 3	Rossmore -	The Earl of Portarlington.	Maurice Madden	Maurice Madden	Fields.
5, 6, 8, 9	Ditto -	Ditto -	Eliza Rorke -	Eliza Rorke -	Fields.
7	Ditto -	Ditto -	Ditto -	Ditto -	Field and House.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
10, 11, 12, 13, 14.	Rossmore -	The Earl of Portarlington.	Martin Byrne -	Martin Byrne -	Fields.
1, 2, 3	Balahide -	Ditto -	Henry Mills or Moilse.	Henry Mills or Moilse.	Fields.
4	Ditto -	Ditto -	Susan Coe -	Susan Coe -	Field.
5, 7, 8	Ditto -	Ditto -	James Doyle -	James Doyle -	Fields.
6	Ditto -	Ditto -	Ditto -	Ditto -	House and Field.
		Parish of Cloydagh.			
1, 2, 3, 4, 5	Cloghgrennan	Colonel J. S. Rochfort.	James Moore -	James Moore -	Fields.
6	Ditto -	Ditto -	Ditto -	Daniel Cahill -	Cabin and Garden.
8	Ditto -	Ditto -	- - -	Colonel J. S. Rochfort.	Orchard.
9	Ditto -	Ditto -	- - -	Ditto -	Lawn.
10, 11	Ditto -	Ditto -	John Waters -	John Waters -	Fields.
12	Ditto -	Ditto -	Ditto -	Ditto -	Field and House.
		COUNTY OF CARLOW.			
		Parish of Cloydagh.			
1	Cloghgrennan	Colonel J.S. Rochfort.	- - -	Colonel J.S. Rochfort.	Part of Lawn.
2	Ditto -	Ditto -	- - -	Ditto -	Field.
1, 2, 3, 4	Fonthill -	Ditto -	William Fishbourne senior.	William Fishbourne senior.	Fields.
5, 6, 7, 8, 9	Ditto -	Ditto -	William Fishbourne junior.	William Fishbourne junior.	Fields.
1, 2	Ballinabranagh	Thomas Bunbury, Sir T. Butler, Baronet, J. Alexander (Lessee for Lives).	- - -	James and Patrick Hughes.	Fields.
3, 5, 6, 7, 8	Ditto -	Ditto -	Andrew Sleavin -	Andrew Sleavin -	Fields.
9, 10	Ditto -	Ditto -	Patrick Neil -	Patrick Neil -	Fields.
11	Ditto -	Ditto -	- - -	Andrew Fitzpatrick.	Field.
12	Ditto -	Ditto -	Gregory Neil -	Gregory Neil -	Field.
13	Ditto -	Ditto -	- - -	William Beard -	Field and House.
14	Ditto -	Ditto -	Patrick Neil -	Patrick Neil and James Hughes.	Field and Cottage.
		Parish of Tullowcreen.			
1, 2	Currane -	Thomas Bunbury (John Alexander).	Patrick Kehoe -	Patrick Kehoe -	Fields.
3, 4	Ditto -	Ditto -	William Beard -	William Beard -	Fields.
5	Ditto -	Ditto -	- - -	Margaret Nolan -	Two Fields.
1, 2, 3, 4	Ballygown -	Ditto -	Patrick Hughes -	Patrick Hughes -	Fields.
5, 6	Ditto -	Ditto -	- - -	Edward Kelly -	Fields.
7	Ditto -	Ditto -	- - -	John Kavanagh -	Cabin and Garden.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
1	Tomard - -	Thomas Bunbury, (John Alexander).	James and Peter Curran.	James and Peter Curran.	Field.
2	Ditto -	Ditto -	- - -	Michael Whelan	Field.
3	Ditto -	Ditto -	- - -	James and Peter Curran.	Field.
4	Ditto -	Ditto -	Martin Whelan -	Martin Whelan -	Field.
5	Ditto -	Ditto -	- - -	Michael Whelan	Field.
7	Ditto -	Harmon Herring Cooper, D. H. Cooper.	James Hughes -	James Hughes -	Field.
1, 2, 3, 4	Cranavoneen -	Thomas Bunbury	Frederick M'Causland, Harmon Herring Cooper, D. H. Cooper, James Haw.	James Haw -	Fields.
5, 6, 7	Ditto -	Ditto -	T. M'Causland, H. H. Cooper, D. H. Cooper, Doctor Roche, James Hughes.	James Hughes -	Fields.
1, 2, 3, 4, 5, 7, 8, 9.	Coolnakisha	Thomas Bunbury, Sir T. Butler, Baronet.	John Cummins -	John Cummins -	Fields.
6	Ditto -	Ditto -	Ditto -	Ditto -	House and Meadow.
		Parish of Old Leighlin.			
1, 2	Seskin (Lower)	Bishop of Ossory	H. M. Mason, W. M. Mason, and — Mason.	Edward Honahan	Fields.
3, 4	Ditto -	Ditto -	Ditto -	Patrick Honanan	Fields.
5	Ditto -	Ditto -	H. M. Mason, W. M. Mason, — Mason, and P. Finlan.	Philip Finlan -	Field and House.
6	Ditto -	Ditto -	H. M. Mason, W. M. Mason, — Mason.	Patrick Honahan and Patrick Murphy.	House and Garden.
8, 10	Ditto -	Ditto -	Ditto, Pat. Doyle	Patrick Doyle -	Fields.
9	Ditto -	Ditto -	- - -	Thomas Byrne -	Field.
11, 12	Ditto -	Ditto -	Ditto, Michael Jeffers.	Michael Jeffers -	Fields.
1, 2, 3, 4, 5, 6, 7, 8.	Coolnakerawn	Ditto -	Francis Dillon, Thomas Tonstead.	Thomas Tonstead	Fields and Rath.
9, 11	Ditto -	Ditto -	Ditto -	Anne Kinchella -	Fields.
10	Ditto -	Ditto -	- - -	Ditto -	House and Garden.
13, 14, 18	Ditto -	Ditto -	Ditto, R. Tonstead	Richard Tonstead	Fields.
15, 16, 17	Ditto -	Ditto -	Ditto, Thomas Nolan.	Thomas Nolan -	Fields.
1, 2	Farranacurra -	Doctor and Mrs. Gregory.	Jeremiah Maher	Jeremiah Maher	Fields.
3	Ditto -	Ditto -	Edward Foley -	Edward Foley -	Field.
4	Ditto -	Ditto -	Ditto -	Luke Roach -	Field and Cabin.
1	Moanduff -	Bishop of Ossory	Nicholas A. Vigors and Edward Foley.	Edward Foley -	Field and Farmhouse.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
2, 3	Moanduff -	Bishop of Ossory	Nicholas A. Vigors and Edward Foley.	Edward Foley -	Fields.
4	Ditto -	Ditto -	N. A. Vigors, James Rice.	James Rice -	Field.
5, 6	Ditto -	Ditto -	Ditto, ditto -	Ditto -	Field and Farmhouse and Lane.
1, 2, 3, 4, 5	Baunlead -	Doctor and Mrs. Gregory.	James Conolly -	James Conolly -	Fields.
6	Ditto -	Ditto -	Luke Foley -	James Foley -	Field.
7	Ditto -	Ditto -	Ditto -	Luke Foley -	Field.
8, 9, 10, 11	Ditto -	Ditto -	John Connolly -	John Connolly -	Fields.
1	Bannagagoola	Bishop of Ossory	N. A. Vigors, L. Foley.	Luke Foley -	Field.
2, 3, 4, 5, 6, 19.	Ditto -	Ditto -	Ditto, Michael Connolly.	Michael Connolly	Fields.
7, 8, 9, 10, 11	Ditto -	Ditto -	Ditto, Luke Roach	Luke Roach -	Fields.
12, 17	Ditto -	Ditto -	Ditto, MartinNeil	Martin Neil -	Fields.
13	Ditto -	Ditto -	N. A. Vigors and Michael Kinchella.	MichaelKinchella	Field.
14	Ditto -	Ditto -	Ditto, Philip and Thomas Meaney.	Philip and Thomas Meaney.	Field and Houses and Occupation Road.
15, 16	Ditto -	Ditto -	Reverend Samuel T. Roberts and JohnKavanagh.	John Kavanagh -	Fields.
1, 2	Moanmore -	Ditto -	Reverend Charles P. Thomas.	Martin Roach -	Fields.
3	Ditto -	Ditto -	Ditto -	Denis Roach -	Field.
4, 7	Ditto -	Ditto -	Ditto -	John Wilkinson	Fields.
5	Ditto -	Ditto -	Ditto -	John Roach -	Field.
6	Ditto -	Ditto -	Ditto -	Patrick Cradon -	Field and Cabin.
9	Ditto -	Ditto -	Ditto -	Eleanor Martin -	Field, Cabin, and Garden.
10, 11, 12	Ditto -	Ditto	Ditto -	Michael Maher -	Fields.
13, 14	Ditto -	Ditto -	Ditto -	Thomas Maher -	Field and Bye Road leading to Cottage.
15, 16	Ditto -	Ditto -	Ditto -	William Aylward	Fields.
17	Ditto -	Ditto -	Ditto -	Eliza Kavanagh -	Field.
18	Ditto -	Ditto -	Captain Thomas Watson.	Joseph Lynch senior.	Field and House and Lane to House.
19, 20	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
21, 22, 31	Ditto -	Ditto -	Ditto -	Michael Nolan -	Fields.
23, 25	Ditto -	Ditto -	Ditto -	Joseph Lynch junior.	Fields.
24	Ditto -	Ditto -	Ditto -	Ditto -	FieldandHouse.
26	Ditto -	Ditto -	Ditto -	- - -	Bye Road.
27	Ditto -	Ditto -	Ditto -	Joseph Lynch -	Field.
28	Ditto -	Ditto -	Ditto -	Ditto -	House and Two Fields adjoining.
29, 30	Ditto -	Ditto -	Ditto -	John Lynch -	Fields
32	Ditto -	Ditto -	Ditto -	Edward Lynch -	Field.
33, 35, 36	Ditto -	Ditto -	Ditto -	Daniel Hanlon -	Fields.
34	Ditto -	Ditto -	Ditto -	Ditto -	HouseandField.
1, 2, 3, 4	Gurtha -	Ditto -	Reverend Charles P. Thomas.	Thomas Meany -	Fields.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.

COUNTY OF KILKENNY.

Parish of Shankhill.

1, 2, 4	Shankhill -	James K. Aylward	Mary Butler -	Mary Butler -	Fields.
3, 5, 6, 7, 10	Ditto -	Ditto -	- - -	Thomas Nowlan	Fields.
8, 9, 11, 12, 24.	Ditto -	Ditto -	- - -	Thomas Maher -	Fields.
13	Ditto -	Ditto -	- - -	Ditto -	Farmhouse and Garden.
15, 16, 17	Ditto -	Ditto -	- - -	Patrick Ryan -	Fields.
18	Ditto -	Ditto -	- - -	Michael Tobin and Valentine Wall.	Field.
19	Ditto -	Ditto -	- - -	Michael Tobin -	Field.
20	Ditto -	Ditto -	- - -	Valentine Wall -	Field.
21	Ditto -	Ditto -	- - -	John Tobin -	Field.
22, 23, 25, 26, 27, 28.	Ditto -	Ditto -	- - -	Mary Maher -	Fields.
29	Ditto -	Ditto -	- - -	Michael Walsh -	Field.
31, 32, 33, 34, 35.	Ditto -	Ditto -	James Brophy -	James Brophy -	Fields.
36, 39, 42, 43, 44, 45.	Ditto -	Ditto -	- - -	Patrick Brophy -	Fields.
37	Ditto -	Ditto -	- - -	James K. Aylward	Plantation.
38, 40	Ditto -	Ditto -	- - -	Ditto -	Fields.
41	Ditto -	Ditto -	- - -	Ditto -	Lawn and Demesne.
1, 2	Kellymount -	Earl of Rathdown.	William Monck	Nicholas Cody -	Fields.
3	Ditto -	Ditto -	Ditto -	James Cody -	Field.
4	Ditto -	Ditto -	Ditto -	Ditto, Patrick Cullen.	Field and House.
6	Ditto -	Ditto -	William Monck and P. Harding.	Patrick Harding	Farmhouse and Garden.
7, 9, 10	Ditto -	Ditto -	Ditto -	Ditto -	Fields.
8	Ditto -	Ditto -	Ditto -	Patrick Darmody	Field.
11, 12	Ditto -	Ditto -	- - -	Patrick Byrne -	Fields.
13	Ditto -	Ditto -	- - -	James Fenlon and Michael Mahony.	Fields.
14	Ditto -	Ditto -	- - -	James Fenlon -	Field.

Parish of Kilmacahill.

1, 8, 9, 14	Jordanstown -	Ditto -	Edward Rice -	James Maher -	Fields and private Road.
2	Ditto -	Ditto -	Ditto -	David Corcoran, Dan. Maher, W. Dowdal, and John Hickey.	Field.
3, 4, 10, 11	Ditto -	Ditto -	Ditto -	William Dowdall	Fields.
5, 6, 7, 12	Ditto -	Ditto -	- - -	Frank Flood -	Fields.
13	Ditto -	Ditto -	- - -	Thomas Daly -	Field.
1, 2, 5	Kilmacahill -	Sir T. M'Kenny, Bart.	- - -	Denis Drennan -	Fields.
3	Ditto -	Ditto -	- - -	Richard Lawless	Field.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
4, 9, 12	Kilmacahill -	Sir T. M'Kenny, Bart.	- - -	Patrick Drennan	Fields.
6	Ditto -	Ditto -	- - -	PatrickM'Donnel	Field.
7	Ditto -	Ditto -	- - -	John Whelan -	Field.
8	Ditto -	Ditto -	- - -	James Hughes and Thomas Delany.	Field.
10	Ditto -	Ditto -	- - -	Dennis Drennan	Field.
11	Ditto -	Ditto -	- - -	- - -	Brook.
13	Ditto -	Ditto -	- - -	- - -	Private Road to D. Drennan's House.
14	Ditto -	Ditto -	- - -	Dennis Drennan	Field.
1	Garyduff -	Earl of Rathdown.	Capt. Rothe -	John Lalor or Whelan.	Field.
2	Ditto -	Ditto -	Ditto -	Mary Whelan -	Field.
3	Ditto -	Ditto -	Ditto -	John Whelan -	Field.
4	Ditto -	Ditto -	Ditto -	T. Daly, Pat. Lalor, and Jas. Lalor.	Field.
5	Ditto -	Ditto -	- - -	- - -	Brook.
6, 9, 13	Ditto -	Ditto -	- - -	Mary Whelan -	Fields.
7	Ditto -	Ditto -	- - -	Martin Doyle -	Field and House.
8	Ditto -	Ditto -	- - -	William Bridget	House and Garden.
11, 12, 18, 19	Ditto -	Ditto -	- - -	William Bridget	Fields.
14	Ditto -	Ditto -	- - -	Mary Whelan -	House and Garden.
16	Ditto -	Ditto -	James Healey -	Elizabeth Keefe	Cabin.
17, 20	Ditto -	Ditto -	- - -	James Healey -	Fields.
21, 22	Ditto -	Ditto -	Matthew Lannan	P. and D. Drennan.	Fields.
23	Ditto -	Ditto -	Ditto -	Michael Lannan	Field.
24	Ditto -	Ditto -	Ditto -	Patrick Lannan	Field.
25, 27	Ditto -	Ditto -	Ditto -	Matthew Lannan	Fields.
26	Ditto -	Ditto -	- - -	John Neil -	Field.
2a	Ditto -	Ditto -	Ditto -	Michael Drennan	Field.
1	Shagrady -	Captain Thomas Watson.	- - -	John Neil -	Field.
3, 5	Ditto -	Ditto -	Ellen Hughes, ThomasMagee, and Richard Hughes.	Ellen Hughes -	Fields.
4, 8	Ditto -	Ditto -	Ditto -	Thomas Magee	Fields.
6, 10	Ditto -	Ditto -	Ditto -	Richard Hughes	Fields.
7	Ditto -	Ditto -	Ditto -	James Hughes -	Field.
9, 11, 12, 13	Ditto -	Ditto -	Ditto -	John Neil -	Fields.
		Parish of Gowran.			
1	Ballyquirk -	Viscount Clifden	- - -	Martin Bowe -	Field.
2, 3	Ditto -	Ditto -	- - -	Philip Nash -	Fields.
1, 2	Newhouse -	William Bayly -	Edward Denroche	Pat. Troy or Trehy	Fields.
3	Ditto -	Ditto -	Ditto -	Ditto -	House and Garden.
4	Ditto -	Ditto -	Ditto -	Philip Nash -	House and Garden.
5, 8	Ditto -	Ditto -	Ditto -	Pat. Drennan -	Fields.
6, 7, 9	Ditto -	Ditto -	Ditto -	Timothy Hogan	Fields.
10	Ditto -	Ditto -	Ditto -	- - -	Bye Road.
11	Ditto -	Ditto -	Ditto -	- - -	Bye Road.
1, 8	Common Bog	Ditto -	Ditto -	Pat. Troy or Trehy	Fields.
2	Ditto -	Ditto -	Ditto -	John Barden -	House and Field.

Nos. on the Plans and Books of Reference before referred to.	Townlands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
3	Common Bog	William Bayly	EdwardDenroche	John Barden	Garden.
4	Ditto	Ditto	Ditto	Catherine Cass	Garden.
5	Ditto	Ditto	Ditto	Ditto	Field.
6, 7, 9, 10	Ditto	Ditto	Ditto	Timothy Hogan	Fields.
11, 13	Ditto	Viscount Clifden	David Burtchall	Charles Carter	Fields.
12, 16, 20	Ditto	Ditto	Ditto	John Holmes and Pat. Keefe.	Fields.
14, 15	Ditto	Ditto	Ditto	Edward Carter	Fields.
17	Ditto	Ditto	David Burtchall and Edward Carter.	Ditto	Field.
18, 21	Ditto	Ditto	Ditto	William Hennessy.	Fields.
19	Ditto	Ditto	Ditto	Ditto	Field and Cottage.
23, 27	Ditto	William Bayly	John Comerford	John Comerford	Fields.
24, 26, 28, 31	Ditto	Ditto	James Carty	James Carty	Fields.
25, 29, 35	Ditto	Ditto	John Quirk	John Quirk	Fields.
30, 32	Ditto	Ditto	- - -	Richard Carty	Fields.
33, 34	Ditto	Ditto	- - -	Pat. and James Carty.	Fields.
37	Common Bog	William Bayly	- - -	Morgan Holmes	Field.
1, 3, 5	Bricauna	Ditto	- - -	Pat. and James Carty.	Fields.
2	Ditto	Ditto	- - -	Richard Carty	Field.
1[a]	Common Bog	Ditto	- - -	Pat. and James Carty.	Houses and Gardens.
2	Talbot's Hill	Ditto	Pat. and Edmund Cody.	P. and E. Cody	Field.
3[a]	Common Bog	Ditto	- - -	Pat. and James Carty.	Field.
4[a], 4, 10, 11	Talbot's Hill	Ditto	Ditto	Edmund and Pat. Cody.	Fields.
5, 6, 7	Ditto	Ditto	John Comerford	John Comerford	Fields.
8, 9	Ditto	Ditto	John Quirk	John Quirk	Fields.
12	Ditto	Ditto	Michael Mullea	Michael Mullea	Field.
13	Ditto	Ditto	- - -	- - -	Rivulet.
1	Rathcusack	Ditto	Rev. Jos. Townshend, John Byrne.	John Byrne	Cottage.
2	Ditto	Ditto	Ditto	Ditto	Field.
3	Ditto	Ditto	Ditto, Pat. Gleeson.	Pat. Gleeson	Field.
1, 5	Sheafield	Ditto	Michael Kenny	Michael Kenny	Fields.
2, 3, 4	Ditto	Ditto	Edward Dwyer	Edward Dwyer	Fields.
6, 7, 8, 9, 10	Ditto	Ditto	Michael Hickey	Michael Hickey	Fields.
11, 12	Ditto	Ditto	- - -	Pat. Hickey	Fields.
1	Commons of Earl's Bog.	Gen. Sir James Kearney.	- - -	- - -	Commons.
1, 2, 3, 4	Blanchfieldstown.	Ditto	- - -	James Butler	Fields.
5, 6, 7, 8, 9	Ditto	Ditto	- - -	James Flynne	Fields.
10, 11	Ditto	Ditto	- - -	Walter Grace	Fields.
12	Ditto	Ditto	- - -	ThomasGrace and Honor Cody.	Field.
13, 14	Ditto	Ditto	- - -	John Cullen	Fields.

Parish of Blanchvilleskill or Blanchfieldtown.

16, 19, 20, 21, 22, 23, 24.	Blanchfieldstown.	Gen. Sir Jas. Kearney.	- - -	James Tobin	Fields.
17, 18	Ditto	Ditto	- - -	Thos. Ryan	Fields.

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25, 26, 27, 28, 29.	Blanchfields-town.	Gen. Sir Jas. Kearney.	- - -	Sir James Kearney	Fields.
1	Grove, or Abbey Grove, Part of Blanchfieldstown.	Ditto -	- - -	James Murphy -	Field.
2, 3, 4	Ditto -	Ditto -	James Murphy -	James Murphy -	Fields.
5	Ditto -	Ditto -	Ditto -	Ditto -	Farm Buildings.
6, 9, 10	Ditto -	Ditto -	- - -	James White -	Fields.
7, 8	Ditto -	Ditto -	- - -	James Walsh -	Fields.
11	Ditto -	Ditto -	Richard Collis -	James Walsh -	Field.
1	Roughfield, Part of Blanchfieldstown.	Ditto -	- - -	James Doyle -	Field.
Parish of Clara.					
1	Rathgarvan, including Clifden.	Viscount Clifden	Patrick Blanchfield.	Patrick Bowe -	Cabin.
2, 5, 9, 10, 11, 12, 13.	Ditto -	Ditto -	Ditto -	Patrick Blanchfield.	Fields, private Road.
3, 4, 7, 8	Ditto -	Ditto -	Ditto -	Michael and Mary Tobin.	Fields.
6	Ditto -	Ditto -	Ditto -	Ditto -	Cabin and Garden.
Parish of Blackrath.					
1, 2, 3, 4, 5, 6.	Maddockstown Bog.	Thomas James Agar Robartes.	- - -	William Wheeler	Fields.
1	Highrath -	Viscount Clifden	- - -	Ditto -	Field.
2, 3	Ditto -	Ditto -	Ellen Dooly -	Ellen Dooly -	Fields.
1, 2, 3	Scarth of Clifden.	Ditto -	William Dunphy	William Dunphy	Fields.
Parish of Templemartin.					
1, 2, 3, 4, 5	Rathboran -	Henry M'Creery	James M'Creery	Edmond Langton	Fields.
6, 7	Ditto -	Ditto -	J. M'Creery, P. J. & J. Moore.	Pat. J. and J. Moore.	Fields.
8	Ditto -	Ditto -	James M'Creery	Thomas Fogarty	Cabin & Field.
Parish of Blackrath or Templemartin.					
1	Lavistown -	Power O'Shea -	- - -	John Cashin -	Cabin & Field.
2	Ditto -	Ditto -	- - -	Matthew Lannan	Field.
1, 5	Ratharmore or Templemartin.	Sir J. Wheeler D. Cuffe, Bart.	Champion Brady	Edward Hennesy	Fields.
2	Ditto -	Ditto -	Ditto -	Patrick Clancy -	Field.
3, 4, 6, 8, 9, 10.	Ditto -	Ditto -	Ditto -	Martin Cashin -	Fields.
7	Ditto -	Ditto -	Ditto -	John & Martin Cashin.	Field.
11	Ditto -	Ditto -	Ditto -	Philip Delany -	Field.
1, 2, 3	Templemartin	Ditto -	James M'Creery, Executor of the late H. M'Creery deceased.	Patrick Nolan -	Fields.
1	Lyrath -	Ditto -	- - -	Sir J. Wheeler D. Cuffe.	Part of Demesne.
2, 3, 4, 5	Ditto -	Ditto -	- - -	Ditto -	Fields.

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			COUNTY OF THE CITY OF KILKENNY.		
			Parish of St. John.		
1, 2	Leggetsrath or Garret's Hill.	Sir J. Wheeler D. Cuffe, Bart.	- - -	Sir J. Wheeler D. Cuffe.	Fields.
3	Ditto -	- - -	- - -	Ditto -	Plantation and Meadow.
4	Ditto -	- - -	- - -	Patrick Nolan -	Field.
5	Leggetsrath -	John Helsham -	Richard Cody -	Richard Cody -	Field.
6, 7, 8, 9, 11, 12.	Ditto -	Ditto -	William Bolan -	William Bolan -	Fields, private Road.
10	Ditto -	Ditto -	Ditto -	Ditto -	Farmhouse and Garden.
13, 14, 15, 17	Ditto -	Ditto -	Edmond Grace -	Edmond Grace -	Fields.
16	Ditto -	Ditto -	Ditto -	Ditto -	Farmhouse and Buildings.
18, 20, 21	Ditto -	Ditto -	John Bergen -	John Bergen -	Fields.
19	Ditto -	Ditto -	- - -	Major Thomas Jones or John Bergen.	Field.
1	Hebron, Part of Blanchfieldsland.	Arthur Helsham	Major Thomas Jones.	Major Thomas Jones.	Part of Demesne.
2	Ditto -	Ditto -	- - -	Ditto -	Field.
1, 2, 3, 4, 6, 7, 10.	Altomount, or Fennel's Hill.	John Helsham -	James Kelly -	James Kelly -	Fields.
5	Ditto -	Ditto -	Humphry Semple	Humphry Semple	Field.
8	Ditto -	Ditto -	Martin Davis -	Martin Davis -	Field.
9, 11, 22, 23	Ditto -	Ditto -	Henry Arthur Gore.	Dan. & Anne Kennedy.	Fields.
12	Ditto -	Ditto -	Ditto -	HenryArthur Gore	Field.
13	Ditto -	Ditto -	Ditto -	Patrick Roach -	Field.
14	Ditto -	Ditto -	Henry Arthur Gore and Judith Clear.	John Doolan -	Cabin.
15	Ditto -	Ditto -	Ditto -	Judith Clear -	Cabin.
16	Ditto -	Ditto -	Ditto -	Patrick Hoban -	Cabin.
17	Ditto -	Ditto -	Ditto -	Joseph Wall -	Cabin.
18	Ditto -	Ditto -	Ditto -	Judith Doolan -	Cabin.
19	Ditto -	Ditto -	H. A. Gore -	Anne Kennedy -	Limekiln and Field.
20	Ditto -	Ditto -	Ditto -	Pat. Roach -	Cabin.
21	Ditto -	Ditto -	- - -	- - -	Private Road.
1, 2, 6	Pennefather's Lot.	Joseph Greene -	John Ryan, G. Comerford.	Geo. Comerford	Fields.
4, 5, 7, 8, 9	Ditto -	Ditto -	John Ryan, James Martin.	James Martin -	Fields.
10	Ditto -	Ditto -	Mrs. Rebecca Helsham and Michael Murphy.	Ellen Carty -	Field.
11	Ditto -	Ditto -	Mrs. R. Helsham, M. Murphy, John Comerford.	Edward Purcell -	Cabin.
12	Ditto -	Ditto -	Ditto -	Ellen Carty -	Field.
13	Ditto -	Ditto -	Ditto, John Comerford.	—— Carroll -	Cabin.

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