ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

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Limerick, Act, 1845," the said Company were authorized to raise a further Capital of One million two hundred thousand Pounds by the Creation of Shares, and to borrow a further Sum of Money not exceeding Four hundred thousand Pounds on the Credit of their Undertaking: And whereas by "The *Great Southern and Western* Railway (*Ireland*), *Cork* Extension, Act, 1846," the said Company were empowered to raise a further Capital of One hundred thousand Pounds by the Creation of new Shares, upon such Terms and in such Manner as might be agreed on at a General Meeting of the Company, and to borrow a further Sum of Thirty-three thousand three hundred and thirty Pounds on the Credit of their Undertaking: And whereas by "The *Great Southern and Western* Railway (*Ireland*) Extension, *Portarlington* to *Tullamore*, Act, 1847," the said Company were empowered to raise a further Capital of One hundred and sixty-five thousand Pounds, upon such Terms and in such Manner as might be agreed on at any General Meeting of the Company, and to borrow a further Sum of Money, not exceeding in the whole the Sum of Fifty-five thousand Pounds, on the Credit of their Undertaking: And whereas by each of the said recited Acts the said Company were empowered, if they should so think fit, by and with the Consent of a General Meeting of the Proprietors of the said Company, to raise, by the Creation of new Shares, all or any Part of the said Monies which they were by the said Acts authorized to borrow, either in lieu of borrowing the same, or for the Purpose of paying off all or any Part of the Monies which they might theretofore have borrowed under the Powers of the said Acts or any of them: And whereas by "The *Wexford, Carlow, and Dublin Junction* Railway Act, 1846," the said Company were empowered to subscribe to the Extent of Fifty thousand Pounds towards the Undertaking by that Act authorized: And whereas by an Act passed in the Session held in the Ninth and Tenth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for extending and altering some of the Provisions of the Acts relating to the* Great Leinster and Munster *Railway*, the said *Great Southern and Western* Railway Company were empowered to subscribe to and become Shareholders in the *Great Leinster and Munster* Railway Company, to any Extent not exceeding One hundred thousand Pounds: And whereas, by virtue of Provisions to that Effect contained in the said Two last-recited Acts, the Promoters of the Undertakings therein called "The *Wexford, Carlow, and Dublin Junction* Railway," and "The *Great Leinster and Munster* Railway," respectively, became united into One Company, called "The *Irish South-eastern* Railway Company:" And whereas by "The *Killarney Junction* Railway Act, 1846," the said *Great Southern and Western* Railway Company were empowered to subscribe a Sum not exceeding One hundred thousand Pounds towards the Undertaking by that Act authorized,

9 & 10 Vict. c. 196.

10 & 11 Vict. c. 93.

9 & 10 Vict. c. 167.

9 & 10 Vict. c. 168.

9 & 10 Vict. c. 200.

rized, which Sum has accordingly been subscribed for by the said Company: And whereas by each of the said Three lastly-recited Acts the said *Great Southern and Western* Railway Company were empowered to raise the Sums which they were thereby authorized to subscribe to the Undertakings thereby authorized, or any Part of such Sums, by the Creation of new Shares or Stock in the Undertaking of the *Great Southern and Western* Railway, under such Conditions, and particularly as to the Dividends to be payable thereon, whether fixed or rateable, as a General Meeting of the said *Great Southern and Western* Railway Company, specially convened for the Purpose, might determine, or to borrow the whole or any Part of the said Sums by Mortgage of the Undertakings of the *Great Southern and Western* Railway, subject to the Conditions in the said Acts contained: And whereas by "The *Irish South-eastern* Railway Act, 1849," it was provided, that the Capital of Six hundred thousand Pounds authorized to be raised by the said recited Act of the Ninth and Tenth Years of the Reign of Her present Majesty, for extending and altering some of the Provisions of the Acts relating to the *Great Leinster and Munster* Railway, and which Capital was to be divided into Thirty thousand Shares of Twenty Pounds each, according to the Provisions of that Act, should be reduced to Two hundred and sixty-four thousand Pounds, to be divided into Twenty-two thousand Shares of Twelve Pounds each, whereby the Amount of One hundred and fifty thousand Pounds which the said *Great Southern and Western* Railway Company were authorized to subscribe to the said Undertaking as aforesaid was reduced to the Sum of Ninety thousand Pounds; and the said Company are accordingly now registered Proprietors of Seven thousand five hundred Shares of Twelve Pounds each in the said Undertaking in respect of their Subscription thereto, and have advanced and paid the Sum of Sixty-seven thousand five hundred Pounds on account of their said Shares: And whereas the total Capital which the said *Great Southern and Western* Railway Company are authorized to raise under the Powers of the said recited Acts for the Purposes herein-before mentioned is Two million nine hundred and fifty-five thousand Pounds, exclusive of the Sum of Nine hundred and twenty-one thousand six hundred and thirty Pounds, which the said Company are by the said Four first-recited Acts authorized to borrow on Mortgage of their Undertaking, and the said Company have created a Capital of Two millions eight hundred and twelve thousand five hundred Pounds under the Powers contained in the said Acts enabling them in that Behalf, of which Capital Two million five hundred thousand Pounds consists of Fifty thousand Shares of Fifty Pounds each created under the Powers of the said Two first-recited Acts, and Three hundred and twelve thousand five hundred Pounds consists of Fifty thousand new Shares of Six Pounds Five Shillings each, and on which last-mentioned

12 & 13 Vict. c. 62.

mentioned new Shares Interest after the Rate of Six Pounds *per Centum per Annum* has been agreed, in pursuance of Resolutions passed at a General Meeting of the Company specially convened for the Purpose, to be paid out of the Profits of the Company, in preference to any Dividends payable to the Holders of other Shares in the said Company, until such Profits shall have been sufficient to pay a Dividend upon such other Shares for Two successive Half Years at the same Rate of Six Pounds *per Centum per Annum*, after which Period such new or Preference Shares are to merge in and become Part of the general Capital of the Company, without any Preference or Priority over the other Shares therein: And whereas the said *Great Southern and Western* Railway Company have also borrowed on the Credit of their Undertaking, under and by virtue of the Powers contained in the said recited Acts or some of them, the Sum of Eight hundred and sixty-six thousand four hundred and eighty-four Pounds Eight Shillings and Twopence: And whereas the said *Great Southern and Western* Railway Company require further Capital for the Purposes of their Undertaking, and it is expedient that Powers should be conferred on them for the Purpose of raising such additional Capital, and also that the Powers and Provisions of the said recited Acts or some of them, in relation to the Mode of raising and to the Appropriation of the Capital thereby authorized to be raised, and in relation to certain other Purposes of the said Acts, should be explained, amended, and enlarged: And whereas it would be attended with public Advantage and Convenience if the said Company were empowered to construct a Dock or Basin in connexion with the River *Lee* in or upon the Lands heretofore purchased by and now belonging to the said Company, or by virtue of this Act to be purchased by the said Company, at or near the Terminus of the said *Great Southern and Western* Railway at *Cork*; but the Authority of Parliament is requisite for effecting the several Purposes aforesaid: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Provisions of Four first-recited Acts extended to this Act.

I. That the said Four first-recited Acts relating to the *Great Southern and Western* Railway Company and this Act shall be read together, and construed as One Act.

Short Title.

II. That in citing this Act in any other Act of Parliament, or in any legal Instruments or Pleadings, it shall be sufficient to designate the same as "The *Great Southern and Western* Railway (*Ireland*) Act, 1851."

III. That

Power to raise additional Capital by Creation of new Shares or Stock, and to guarantee Interest or preference Dividends on the same.

III. That it shall be lawful for the *Great Southern and Western* Railway Company to raise a further Capital of Two hundred and fifty thousand Pounds by the Creation of new Shares or Stock, for the Purposes authorized by the said Three first-recited Acts and by this Act, upon which Capital or any Part thereof, as well as upon the Capital of Three hundred and twelve thousand five hundred Pounds which the said Company have raised by the Creation of new or Preference Shares as aforesaid, and also upon any Capital which the said Company may raise by the Creation of new Shares or Stock, under the Provisions of the said recited Acts, in lieu of borrowing, or for the Purpose of paying off any Monies borrowed or authorized to be borrowed by the said recited Acts, it shall be lawful for the said Company to guarantee and secure the Payment of such Interest or Dividends, not exceeding Six Pounds *per Centum per Annum*, in preference to the Dividends payable on the other Shares or Stock in the said Company, and for such Period, and generally with such Advantages and Priorities, and subject to such Conditions, as may be determined by a Majority of not less than Three Fifths of the Votes of the Shareholders present at a General Meeting of the Company specially convened for the Purpose; provided that nothing in this Act contained shall authorize the Company to alter the Conditions upon which the said new or Preference Shares were created.

Existing Preference Shares to have Priority.

IV. That the new or Preference Shares which have been created by the said Company as aforesaid, or any Stock into which the same may be converted, shall have and be entitled to Priority in the Payment of the Interest or Dividend secured or intended to be secured thereon under the Resolutions of the Company by virtue whereof the said new or Preference Shares were created, over any other Shares or Stock which may be created under the Provisions of this Act, or subsequently to the passing thereof.

Power to create new Shares or Stock.

V. That it shall be lawful for the Company to create new Shares or Stock for the Purpose of raising the Capital by this Act authorized to be raised, as well as any Capital which they are authorized to raise under the said recited Acts or any of them, or for the Purpose of paying off any Mortgage Debt, or of raising Money by Shares or Stock in lieu of borrowing; and such new Shares may be of such nominal Amount respectively, and such Stock may be of such Amount, or divided into such Proportions, and the said new Shares or Stock shall confer such Rights of voting, as a General Meeting of the Company may determine.

New Shares or Stock to form Part

VI. That, save as by this Act otherwise provided, all new Shares or Stock which may be created by virtue of this Act shall form Part of

of general Capital.

of the general Capital of the Company, and shall be subject to the same Provisions with respect to the Forfeiture of Shares or Stock for Nonpayment of Calls, and otherwise, as if such new Shares or Stock had been created under the Powers of the said secondly-recited Act: Provided always, that One Twentieth Part of the Amount of such new Shares or Stock shall be the greatest Amount of any One Call which the Company may make upon the Holders of the same, and that Three Months at the least shall be the Interval between successive Calls upon the same.

New Shares or Stock to be offered to all Shareholders in proportion to Capital held by them.

What shall be deemed sufficient Offer.

VII. That the new Shares or Stock which may be created by virtue of this Act shall be offered to and amongst the several Persons and Corporations who may be Holders of Shares or Stock in the Undertaking at the Time when such new Shares or Stock are created in proportion, as nearly as may be, to the Amount of Capital represented by the Shares or Stock so held by such Persons and Corporations respectively; and each such Offer shall be made by Letter under the Hand of the Secretary of the Company, given to or sent by Post addressed to each Shareholder according to his Address in the Shareholders Address Book, or left at his usual or last Place of Abode.

New Shares or Stock to vest in Shareholders accepting same, and, in event of Failure of Acceptance, to be disposed of by the Directors.

VIII. That the said new Shares or Stock shall vest in and belong to the Shareholders who shall accept the same, and pay the Value thereof to the Company, at the Time and by the Instalments which shall be fixed by the Company; and if any Shareholder fail for One Month after such Offer of new Shares or Stock to accept the same, and pay the Instalments or Deposits called for in respect thereof, it shall be lawful for the Directors of the Company to dispose of such Shares or Stock in such Manner as they shall deem most for the Advantage of the Company.

Consolidation of Shares into Stock.

IX. That the several Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Consolidation of Shares into Stock, shall be held applicable to all or any of the Shares which the said Company have already created or which they are authorized to create by virtue of the said recited Acts or this Act.

Appropriation of Capital.

X. That the Capital authorized to be raised by "The *Great Southern and Western* Railway Company," by the said Eight firstly-recited Acts and by this Act, or any Part thereof, may be appropriated by the said Company to all or any of the Purposes to which the same is authorized to be applied by them under the Provisions of the said Acts.

Power to make Dock or Basin

XI. And whereas Plans and Sections describing the Situation and Levels of a certain Dock or Basin proposed to be constructed by the said

said *Great Southern and Western* Railway Company in or upon the Lands heretofore purchased by and now belonging to the said Company, or by virtue of this Act to be purchased by the said Company, at or near the Terminus of the said Railway at or near *Penrose*'s Quay, situate between the *Lower Glanmire* Road and the River *Lee*, and in the Parish of *St. Ann's Shandon* and County of the City or Borough of *Cork*, and describing the Lands in or upon which such Dock or Basin, and the Works connected therewith, are proposed to be made, together with Books of Reference to the said Plans, containing the Names of the reputed Owners, Lessees, and Occupiers of the said Lands, have been deposited at the Office of the Clerk of the Peace for the said County of the City or Borough of *Cork*: Be it enacted, That upon the Lands delineated and described on the said Plans, and within the Limits of the Deviation defined thereon, it shall be lawful for the said *Great Southern and Western* Railway Company to make and maintain a Dock or Basin, with all proper Gates, Sluices, Warehouses, and other Works and Conveniences connected therewith, and to supply the said Dock or Basin with Water by a navigable Channel from the River *Lee*, for the Use of the said Company in connexion with the said Railway; and the Provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to the Construction of the Harbour, Dock, or Pier, and with respect to the Construction of Warehouses, Wharfs, and other Conveniences, and with respect to the Appointment of Harbour-masters, Dock-masters, and Pier-masters, and their Duties, and with respect to the Protection of the Harbour, Dock, and Pier, and the Vessels therein, from Fire and other Injury, and with respect to the Byelaws to be made by the Undertakers, and with respect to keeping a Tide and Weather Gauge, shall be incorporated with and read as Part of this Act in relation to the said Dock or Basin.

according to deposited Plans.

XII. That "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, and, subject to the Provisions of the same Act, it shall be lawful for the Company to enter upon, purchase, take, and use such of the Lands delineated upon the said Plans and described in the said Books of Reference as the Company may require to purchase, take, and use for the Purposes of the Works by this Act authorized, and the Company may lawfully hold for the aforesaid Purposes all such of the said Lands as they may have purchased prior to the passing of this Act, and such last-mentioned Purchases shall be as valid and effectual to all Intents and Purposes as though the same had been effected under the Provisions of this Act.

Powers to purchase and hold Lands.

XIII. That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of the Works by this Act authorized

Period for compulsory Purchase

of Lands limited.

rized shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period for Completion of Works.

XIV. That the Works by this Act authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers of the Company for constructing the said Works shall cease to be exercised.

Outline of Works as shown on Plan deposited at the Admiralty not to be departed from.

XV. That the Outline of the Works hereby authorized to be constructed, as shown on the Plan deposited at the Admiralty, shall not be departed from without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the said United Kingdom, such Consent to be signified in Writing under the Hand of the Secretary of the Admiralty.

Before Works are commenced, Working Drawings, &c. to be deposited at the Admiralty.

XVI. That, previously to commencing to construct the said Dock or Basin or any Part thereof, the said Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Dock or Basin, and Works connected therewith, and the same Dock or Basin and Works shall be constructed only according to such Plans, Sections, and Working Drawings as shall have been previously approved of by the said Lord High Admiral or the said Commissioners, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and in case any such Dock or Basin, or Works connected therewith, shall be commenced or completed without such Approval, or not in conformity therewith, then the said Lord High Admiral or the Commissioners shall be at liberty to abate and remove or alter the same, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly, with Costs of Suit.

Power to Admiralty to order a local Survey, if they shall think fit, at the Expense of the Company.

XVII. That if, after Working Drawings of the Works hereby authorized shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works, or of the intended Site thereof, the said Company shall defray the Costs of such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

If Works affecting tidal Waters are

XVIII. That if any Dock or Basin, or Work connected therewith, to be constructed by the Company in or which affects any tidal Water

Water or navigable River, or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate or remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

abandoned, Admiralty may remove the same, at the Expense of the Company.

XIX. That before the Commencement of the Dock or Works authorized by this Act, or at the Expiration of Two Years from the passing of this Act, the said Company shall set out and dedicate to the Use of the Public a Space for the Formation of a Street and Thoroughfare for all Description of Traffic over certain Portions of Land and Hereditaments belonging to the Company on the West Side of *Hargrave Street*, the Eastern Side of *Hargrave* Dock, and a Strip of Land lying Southward of *Hargrave Street*, and leading to the East End of *Penrose*'s Quay, to the Extent and in the Direction which has been agreed or may be agreed upon between the Company and the Commissioners for making wide and convenient Streets, Ways, and Passages in the City of *Cork* and the Suburbs thereof, so as to enable the said Commissioners, under the Powers of some or One of their Acts enabling them so to do, to make, form, and construct a public Street and Thoroughfare from the *Lower Glanmire* Road, through *Hargrave Street*, to the East End of *Penrose*'s Quay.

Company to grant Roadway over their Land.

XX. That if after such Road or Street has been made as aforesaid it may become necessary to interfere with the same, for the Purpose of constructing the Entrance to the said Dock, the Company shall, before the Commencement of any such Work, cause another sufficient Road, equally convenient, to be made, instead of so much of the said Road as may be so interfered with, and shall at their own Expense maintain such substituted Road in a State convenient for Passengers, Carriages, and Traffic, until the Road or Street which may have been so interfered with shall be restored.

If Road interfered with, another to be substituted.

XXI. That if the Company do not cause another sufficient Road to be so made before they interfere with such Road, they shall forfeit Ten Pounds for every Day during which such substituted Road shall not be made after the said Roads shall have been interrupted, and such Penalty shall be paid to the Commissioners, and be recoverable, with Costs of Action, in any Court of competent Jurisdiction.

Penalty for not substituting Road.

Saving Rights of Harbour Commissioners.

XXII. That nothing in this Act contained shall extend or be construed to extend, excepting as by this Act expressly authorized, to alter, prejudice, affect, or interfere with the Rights, Privileges, and Jurisdiction of the Commissioners acting in execution of an Act, First *George* the Fourth, Chapter Fifty-two, (Local and Personal,) intituled *An Act for erecting a Ballast Office, and for regulating Pilots within the Port and Harbour of* Cork, *and for rendering more safe and commodious the said Port and Harbour for all Ships and Vessels trading to and from the same*, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction of the said Commissioners, as Conservators of the Port, Harbour, and River of *Cork*.

Vessels not to be exempt from Harbour Dues by reason of having entered the Dock.

XXIII. That no Vessel shall by reason of having entered the said Dock or Basin be exempt from Payment to the last-mentioned Commissioners of any Rates or Duties which would have been payable to the said last-mentioned Commissioners for such Vessel and the Cargo thereof if the same had remained in the River *Lee*, and had not entered the said Dock or Basin; and the said last-mentioned Commissioners, their Officers and Servants, shall have free Access to the said Dock and Basin, and the Piers and Quays connected with the same, for the Purpose of ascertaining, levying, and collecting any such Rates or Duties as aforesaid, or for supplying or removing Ballast to or from any such Vessel, in the same Manner, upon the same Terms, and to the same Extent as the said last-mentioned Commissioners are now by Law authorized to supply or remove Ballast to or from Vessels within the Port of *Cork*; provided that no Ballast shall be laid on any Quay of the Company connected with the said Dock or Basin without the Consent of the Company in Writing under the Hand of their Secretary or any Two of their Directors first had and obtained.

As to Ballast.

XXIV. That it shall not be lawful for the Company to permit any Vessel within the said Dock to take any Ballast into any Vessel, or any Ballast to be taken from any Vessel, except by such Person as shall be thereunto appointed by the last-mentioned Commissioners; and the Company shall not permit or suffer any Ballast to be thrown from any Vessel in the said Dock to supply any other Vessel, or to be thrown out of any Vessel into the said Dock or into the River, without having first obtained a Licence from the last-mentioned Commissioners under the Hand of their Clerk for that Purpose; and in case any Master, Commander, or other Officer of any Vessel shall act in contravention of the Provisions herein contained, he shall forfeit and pay, to the Use of the last-mentioned Commissioners, a Sum not exceeding Twenty Pounds for each Offence, to be recovered in the same Manner as the last-mentioned Commissioners are by the said Act authorized to recover other Penalties.

XXV. That

Company to make a Drawbridge.

XXV. That the Company shall make and construct, and for ever after maintain and keep in good Repair, at the Entrance to the said Dock from the River *Lee*, in such a Situation as will enable the Public freely to communicate between the One Side and the other of the Entrance of the proposed Dock in the Line of the proposed Road from *Hargrave Street* to *Penrose*'s Quay, a good and substantial Swivel or Lift Bridge, with a Roadway not less than Twenty Feet wide in the whole for the Passage of Carts, Carriages, and Horses, with Footways for Passengers, from *Penrose*'s Quay to the other Side of the said Entrance, and such draw or other Bridge shall at all Times be kept closed across the said Entrance, except when it shall be necessary to open the same for the Passage of Vessels into or out of the said Dock, and so as to interfere as little as possible with public Thoroughfare across the said Entrance.

For Protection of Quays, &c. under the Control of the Commissioners.

XXVI. That if in the Construction of the said Dock or any other Works authorized by this Act the Company shall (excepting for the Purpose of making the Cut or Entrance into the said Dock) destroy or injure any Pier, Quay, Building, or other Work belonging to or under the Control of the said last-mentioned Commissioners, the Company shall and they are hereby required, with all convenient Speed, to rebuild, restore, and make good the same to the Satisfaction of the said last-mentioned Commissioners, and if they shall not commence rebuilding and restoring such Pier, Quay, Building, or other Works within Ten Days after they shall have received a Notice in Writing signed by the Clerk of the said last-mentioned Commissioners requiring them so to do, or if, having commenced, they shall not afterwards proceed with reasonable Diligence with such Rebuilding and Restoration, or shall rebuild or restore the same in a Manner not satisfactory to the said last-mentioned Commissioners, it shall be lawful for the said last-mentioned Commissioners to commence, proceed with, and complete the same, and to recover the Amount of all the Expenses which they have incurred in and about such Work by Action at Law in any Court of competent Jurisdiction, and the Company shall also be liable to Indictment for any Neglect or Refusal to execute the Works aforesaid.

Penrose's Quay not to be used except for Dock Entrance.

XXVII. That it shall not be lawful for the Company to enter upon, use, occupy, or interfere with any Portion of *Penrose's* Quay, or of the Frontage of the River *Lee*, except for the Purpose of the Construction of the Entrance to the said Dock or Basin, or, without the Consent in Writing of the said last-mentioned Commissioners, to place any Part of the Works of or connected with the said Entrance in the Bed of the River *Lee* to the South of the present outer Line of *Penrose*'s Quay, or of any Extension of the same in a right Line towards the East.

XXVIII. That

Limiting Powers of Railway Company outside Dock.

XXVIII. That it shall not be lawful for the Company, their Dock-master or Servants, to exercise any Power or Authority in or upon the public Quays of *Cork*, except for the Purpose of removing Vessels or other Obstructions which may be placed in or before the Entrance to the said Dock or Basin in such Manner as to obstruct Access to the same, or to exercise any Power or Authority in any Part of the River *Lee*.

For preserving the Rights of the Corporation of Cork to the Receipt of certain Fines.

XXIX. And whereas the Mayor, Aldermen, and Burgesses of *Cork* are or claim to be entitled to Fines and Penalties of the Nature or Description herein-after mentioned within the Borough of *Cork*: Be it enacted, That all Fines or pecuniary Penalties which by any Law or Byelaws now in force or hereafter to be made may from Time to Time be inflicted for Breaches of any Rules or Regulations for regulating the Conduct of Owners and Drivers of Cars, Carts, or other Carriages or Waggons, and of Hackney Coachmen, Car and Omnibus Drivers, and others, resorting to the said Dock or Basin for Employment, so long as they shall remain in or about the said Dock or Basin, shall be paid over, when received, to the Treasurer for the Time being of the said Mayor, Aldermen, and Burgesses, in like Manner and for the same Purposes as other Fines and Penalties now paid to the same Officer.

For preserving other Rights of the Corporation of Cork.

XXX. That nothing in this Act shall be construed to interfere with or in anywise affect any existing Right of the Body Corporate of the Borough of *Cork* to such Tolls and Dues as they are entitled to receive and have been accustomed to collect at the Time of the passing of this Act, but the same shall be enjoyed, with as full and extensive Means of Collection and Recovery, as they were before the Time of the passing of this Act, and all Powers and Privileges contained in the said secondly-recited Act for ascertaining the same, as well as the Penalties thereby imposed for obstructing the ascertaining thereof, and the Remedies provided for enforcing such Penalties, shall extend to this Act, anything to the contrary thereof notwithstanding.

Interest on Calls not to be paid out of Capital.

XXXI. That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividends to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest by way of Discount on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

XXXII. That

Deposits for future Bills not to be paid out of Capital.

XXXII. That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway.

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 105. 57.

XXXIII. And whereas an Act was passed in the Session of Parliament held in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways*; and another Act was passed in the Session held in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Session held in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Session held in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and Two Acts were passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, One thereof intituled *An Act for constituting Commissioners of Railways*, and the other *An Act for regulating the Gauge of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways, or the said Company in respect thereof, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Company and Railways, so far as the same shall be applicable thereto.

Railway not exempt from Provisions of future General Acts.

XXXIV. That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made, or the said Company, from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by the said recited Acts.

Expenses of Act.

XXXV. That all the Costs, Charges, and Expenses of and incidental to the obtaining of this Act and preparatory thereto shall be paid

paid by the Directors of the said Company out of the First Monies received or to be received by them by virtue of this Act, or out of any other Monies at their Disposal.

LONDON:
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