ANNO VICESIMO TERTIO & VICESIMO QUARTO

VICTORIÆ REGINÆ.

***

Inundation, and for the permanent Maintenance and Repair of the Works connected therewith, it is expedient that Commissioners should be appointed, with Power to charge the Lands reclaimed with a Rate for that Purpose; but these Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Kilrush and Kilkee* Railway and *Poulnasherry* Reclamation Act, 1860."

Construction of Words.

II. In the Construction of this Act and of any Act incorporated therewith the Expression "Waste Lands" shall mean and include the Waste Lands, Sand Banks, Mud Lands, Mud Banks, or Slobs in the said Estuary, and delineated and described on the Plan herein-after mentioned, unless there shall be something in the Subject or Context repugnant to such Construction.

Incorporation of General Acts.

III. "The Companies Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," "The Railways Act (*Ireland*), 1851," the Act of the Twenty-first and Twenty-second *Victoria*, Chapter Thirty-four, for continuing that Act, and "The Lands Clauses Consolidation Act, 1845," so far as the same is consistent with "The Railways Act (*Ireland*), 1851," shall, so far as the same are not expressly varied by this Act, be incorporated with and form Part of this Act.

Subscribers incorporated.

IV. *Alexander P. Gordon*, *David J. Henry*, *William Galway*, and *Robert F. Gordon*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway and Works herein-after described, with all proper Works and Conveniences connected therewith, according to the Provisions of this Act and the Acts incorporated therewith; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Kilrush and Kilkee* Railway and *Poulnasherry* Reclamation Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

V. Subject to the Powers of converting Loans into Capital in "The Companies Clauses Consolidation Act, 1845," contained, the Capital of the

the Company in Shares shall be Forty-five thousand Pounds, whereof the Sum of Thirty-seven thousand eight hundred Pounds shall be applied to the Railway, and the Sum of Seven thousand two hundred Pounds to the Embankment and Reclamation by this Act authorized; and all and every Part of the Money so to be raised shall be applied only in carrying into execution respectively the Objects and Purposes of this Act.

Shares.

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

Calls.

VII. Two Pounds Ten Shillings *per* Share shall be the greatest Amount of any Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and Seven Pounds Ten Shillings *per* Share shall be the greatest aggregate Amount of Calls to be made thereon in any One Year.

Power to borrow.

VIII. The Company may borrow on Mortgage any Sum not exceeding Fifteen thousand Pounds (whereof the Sum of Twelve thousand six hundred Pounds shall be applicable to the Railway, and Two thousand four hundred Pounds to the Embankment and Reclamation, to which Purposes the said Sums shall respectively be applied, and to no other), but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Forty-five thousand Pounds shall have been subscribed, and One Half thereof shall have been actually paid up, and until they shall prove to the Justice who is to certify, under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such Capital has been subscribed for *bonâ fide*, and is held by such Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

Appointment of Receiver.

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

Interest not to be paid on Calls paid up.

X. The Company shall not, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividends to any Shareholders on the Amounts of Calls made in respect of the Shares held by them in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the

the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposit on future Bills not to be paid out of Capital.

XI. The Company shall not, out of any Money by this Act authorized to be raised for the Purpose of such Act, pay or deposit any Sum of Money which by any Standing Order of either House of Parliament for the Time being in force may be required to be deposited in respect of any Application to be made to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Quorum at Meetings of the Company.

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

Number of Shareholders to convene Extraordinary Meetings.

XIII. The Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall be not less than Five Shareholders holding in the aggregate not less than Five thousand Pounds in the Capital of the Company.

Number and Qualification of Directors, &c.

XIV. The Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking; provided that it shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Three.

Quorum of Meeting of Directors.

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

First Directors.

XVI. *Robert F. Gordon*, *William Galway*, and *David J. Henry* shall be the First Directors of the Company.

Election of Directors at First General Meeting.

XVII. The Directors appointed by this Act, or such of them as shall not die, or resign, or become disqualified, or be removed, shall continue in Office until the First Ordinary General Meeting to be held within Six Months after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may continue in Office the Directors appointed by this Act or any Number of them, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body.

Subsequent Election of Directors.

XVIII. At the First Ordinary General Meeting to be held in every Year after the First General Meeting the Shareholders present, personally or

or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions of "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845."

Power to reduce the Number of Directors.

XIX. The Company may from Time to Time reduce the Number of Directors, provided that the Number of Directors after any such Reduction be not less than Three.

Periods for balance and Inspection of Books.

XX. The Periods to which the Books of the Company shall be brought to balance shall be the First *Monday* in the Month of *May* and the First *Monday* in the Month of *November* in each Year.

Description of Works.

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

A Railway (including an Embankment) commencing at the Pier or Quay called the *Revenue Quay* in the Townland of *Cappagh* in the Parish of *Kilrush* and County of *Clare*, and terminating at or near the Town of *Kilkee* in the Townland of *Dough* in the Parish of *Kilfearagh* and said County of *Clare*, (and which Railway will be Eight Miles Four Furlongs Seven Chains and Eighty Links or thereabouts in Length,) together with all such Catch-water Drains, Sluices, Arches, Watercourses, Bridges, Roads, Embankments, and Fences as may be necessary for carrying into effect the Reclamation of the said Waste Lands to be embanked by the said Railway.

Railway and Works to be made according to deposited Plans.

XXII. Whereas Plans and Sections of the before-mentioned Railway and Works connected therewith and with the Waste Lands to be reclaimed, showing the Line and Levels thereof respectively, and also a Book of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace for the County of *Clare*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the said Railway, Embankment, and Works shall be made in the Lines or Course and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections; and, subject to the aforesaid Provisions, it shall be lawful for the Company to enter upon,

upon, take, and use such of the said Lands, including the Islands of *Illaunmore*, *Black Island*, and *Illaunbeg*, all in the Parish of *Kilfenaghy*, as shall be necessary for such Purpose.

Plans, &c. of Works relating to Reclamation to remain with the Clerk of the Peace.

XXIII. The Clerk of the Peace for the County of *Clare*, so far as the said Plans, Sections, and Book of Reference relate to the said Reclamation, shall allow all Persons to inspect the same, and to make Copies and Extracts of and from the same, in like Manner and upon the like Terms, and under the like Penalty for Default, as is provided by the Act of the First Year of the Reign of Her present Majesty, Chapter Eighty-three, with reference to the Documents therein referred to.

Copies to be Evidence.

XXIV. Copies of the said Plans, Sections, and Book of Reference, so far as relate to the said Reclamation, or Extracts therefrom, duly certified by the said Clerk of the Peace, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

As to Deposit of Plans with Clerks of Unions.

XXV. Whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that Certificates of any Omissions, Mis-statement, or erroneous Description, in certain Plans and Books of Reference therein referred to, should be deposited with the Postmaster of the Post Towns in or nearest to the several Parishes in *Ireland* in which the Lands affected thereby should be situated; and it is also provided that certain Plans and Sections of such Alterations in the original Plans and Sections as shall have been approved of by Parliament should also be deposited with such Postmasters, and be retained and produced by them for Inspection in manner therein mentioned: And whereas, in compliance with the present Standing Orders of both Houses of Parliament, the several Plans, Sections, and other Documents herein-before required to be deposited with the Postmasters of the Post Towns in *Ireland* are now deposited with the Clerks of the Unions instead of such Postmasters: Therefore, with reference to this Act, all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, shall be read and construed as if the Expression "Clerks of the Unions within which such Parishes are included in *Ireland*," or the Words "Clerk of the Union," as the Case may be, had been used and inserted in such Act in lieu of the Expression "the Postmaster of the Post Towns in or nearest to such Parishes in *Ireland*," or in lieu of the Word "Postmaster," as the Case may be.

Level Crossings.

XXVI. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company, in the Construction of the Railway, to carry the same by a Single Line while the Railway is a Single Line, and by a Double Line when the

the Railway shall be a Double Line of Railway, across and on the Level of the Roads numbered on the Plans deposited as aforesaid, as follows; (that is to say,)

Number on Plan.	Townland.	Parish.	Description of Road.
11	Carrowncalla, South -	Kilrush - -	Public Road.
74	Dough - -	Kilfearagh - -	Public Road.

Station or Lodge to be erected at level Crossings.

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

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

XXVIII. It shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time hereafter, either before or after the Railway shall have been completed and opened for Traffic, to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry the said Roads either over or under the Railway by means of a Bridge or Arch, in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board to be best adapted for removing or diminishing the Danger arising from such level Crossings; but where such Roads shall be so carried under or over the Railway it shall not be necessary for the Company to erect or maintain any Station or Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Company not to shunt Trains on any level Crossings.

XXIX. It shall not be lawful for the Company in shunting Trains to or from any Siding near to any of such level Crossings to pass any Trains over such level Crossings, or to allow Trains to stand across the same.

XXX. The

Lands for extraordinary Purposes.

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

Period within which Lands are to be purchased by Compulsion.

XXXI. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of the Railway shall not be exercised after the Expiration of Three Years after the passing of this Act.

Period for Completion of Railway.

XXXII. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the said Railway shall cease.

Tolls.

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

Tonnage on Articles of Merchandise.

In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof (as follows):

Class 1. For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, Sea Sand, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 2. For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand other than Sea Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, and for all Ores, Minerals, and Metals, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Twopence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 4. For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, and Things, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

Class 5. For every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing

weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence; and a Sum of One Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton up to Four Tons which any such Carriage may weigh:

Tolls for Animals.

In respect of Animals conveyed in Carriages upon the Railway:

Class 6. For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per* Mile not exceeding Fourpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

Class 7. For every Ox, Cow, Bull, or Head of Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

Class 8. For every Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for Passengers.

In respect of Passengers conveyed in Carriages upon the Railway:

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

Tolls for propelling Power.

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

Maximum Charges.

XXXV. The maximum Rates of Charges to be made by the Company for the Conveyance of Passengers, Articles, and Animals upon the said Railway, including the Tolls for the Use of the Railway and of Carriages and Trucks and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Rates; (that is to say,)

For every Passenger conveyed in a First-class Carriage, Threepence *per* Mile:

For every Passenger conveyed in a Second-class Carriage, Twopence *per* Mile:

For every Passenger conveyed in a Third-class Carriage, One Penny Halfpenny *per* Mile:

For all Articles comprised in Class 1., *per* Ton *per* Mile One Penny Halfpenny:

For all Articles comprised in Class 2., *per* Ton *per* Mile Twopence:

For all Articles comprised in Class 3., *per* Ton *per* Mile Threepence:

For all Articles comprised in Class 4., *per* Ton *per* Mile Fourpence:

For every Carriage comprised in Class 5., and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile Sixpence; and for every additional Quarter of a Ton above One Ton or fractional Part of a Quarter of a Ton, One Penny Halfpenny:

For every Animal comprised in Class 6., *per* Mile Fivepence:

For every Animal comprised in Class 7., *per* Mile Threepence; for every Cow or Pig, One Penny Halfpenny:

For every Animal comprised in Class 8., *per* Mile Twopence.

Charges not to apply to Special Trains.

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

Regulations as to Tolls.

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

In respect of Passengers, Animals, and Articles conveyed on the Railway for a less Distance than Four Miles the Company may demand Tolls and Charges as for Four Miles:

Fractional Parts of a Mile.

For a Fraction of a Mile above Four Miles or beyond any greater Number of Miles the Company may with respect to Goods and Animals demand Tolls for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and with respect to Passengers, every Fraction of a Mile beyond Four Miles or any greater Number of Miles shall be deemed a Mile:

Fractional Part of a Ton.

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

General Weight.

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

Weight of Stone and Timber.

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight,

Weight, and so on in proportion for any greater or smaller Quantity.

Tolls for small Parcels and great Weights.

XXXVIII. And with respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand Tolls not exceeding the following; (that is to say,)

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

If not exceeding Seven Pounds in Weight, Fourpence:

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

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

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

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

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

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

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall not exceed Eight Tons, the Company may demand such Sum as they think fit.

Company may take increased Charges by Agreement.

XXXIX. Nothing herein contained shall prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance of such Goods (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

Passenger Luggage.

XL. Every Person travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and forty Pounds in Weight for each First-class Passenger, One hundred Pounds in Weight for

for each Second-class Passenger, and Sixty Pounds in Weight for each Third-class Passenger, without any Charge being made for the Carriage thereof.

Power to Company to reclaim, and to make Catch-water Drains, &c. for Reclamation.

XLI. With respect to the said Waste Lands to be reclaimed, it shall be lawful for the Company, subject to the Restrictions and Provisions of this Act, to embank, recover from the Sea, reclaim, cultivate, and otherwise improve all and singular and such Part and Parts of the Waste Lands delineated upon the aforesaid Plan and Sections, and which lie below High-water Mark at ordinary Spring Tides, whether the same now lie under Water or not, and for that Purpose to collect and stop up all Streams, Brooks, or navigable Creeks in, upon, or across the said Waste Lands, and to divert or lead the same into and by Catch-water Drains, one of such Catch-water Drains commencing in the Townland of *Moyarta* in the aforesaid Parish of *Kilfearagh*, and terminating in the aforesaid Townland of *Carrouncalla South* in the said Parish of *Kilrush*, and the other of said Catch-water Drains commencing in the Townland of *Garraun* and said Parish of *Kilfearagh*, and terminating in the Townland of *Kilnagalliah* and said Parish of *Kilfearagh*; and also to make and erect such Embankments, Sluices, Reservoirs, and other Works necessary for collecting, retaining, or discharging the Waters from or in the said Waste Lands: Provided always, that nothing herein contained shall be construed to oblige the said Company to reclaim, cultivate, or otherwise improve any Portion of the said Waste Lands which shall not, in the Discretion of the Company, be likely to compensate them for the Outlay necessary for such Reclamation, unless required so to do by the Admiralty, by Writing under the Hand of their Secretary.

Company to make and maintain Roads, &c. herein named.

XLII. The Company shall make and (with the Exception after mentioned) maintain the following Roads and Wharf or Landing Place; (that is to say,) a Road marked on the said deposited Plans with the letter C. to the Point A. marked thereon, and also a sufficient Wharf or Landing Place at the said Point A. in connexion with the said Road, also a public Road not exceeding Twenty-one Feet in the Clear across the said Lands to be reclaimed, from or near the Point marked A. to the Point marked B. on the said Plans, which last-mentioned Road when made shall be a County Road, and the Expense of maintaining the same shall be defrayed by Grand Jury Presentment, to be levied within the Barony of *Moyarta* in like Manner as other Charges to which the said Barony is liable are levied and collected.

Company to deposit Plans at the Admiralty before commencing Works below High-water Mark.

XLIII. Previously to commencing any Work below High-water Mark, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Work, for the Approval 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

Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Work shall be constructed only in accordance with such Approval, and when any such Work shall have been commenced or constructed it shall not be lawful for the Company at any Time to alter or extend the same without obtaining previously to making any such Alteration or Extension the like Consent or Approval; and if any such Work shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral to abate, alter, and remove the same, 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, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Certain Works not to be executed but according to Plans approved by Commissioners acting under 2 & 3 Vict. c. 61.

XLIV. Provided always, That, notwithstanding anything in this Act or the Acts incorporated herewith or any of them contained, it shall not be lawful for the Company to execute any of the Works by this Act authorized which in the Opinion of the Commissioners of Public Works in *Ireland* acting in execution of an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for the Improvement of the Navigation of the River* Shannon, can in any Manner prejudicially affect or at all interfere with the *Kilrush Pier* at *Cappagh* in the County of *Clare*, or the Trade carried on at the said Pier, except upon such Terms and Conditions, under such Restrictions, and according to such Plans and Sections as shall previously to the Commencement of the said Works be approved of, and be so signified, by the said Commissioners of Public Works or any Two of them, in Writing under their Hands for that Purpose.

Company not to injure the Drainage of adjoining Lands.

XLV. Nothing herein contained shall extend to or empower the said Company, their Heirs or Assigns, to injure the Drainage of the Lands adjoining the said Waste Lands to be reclaimed by virtue of this Act.

Company to have no exclusive Property in the Seaweed or Shells outside the Embankment.

XLVI. Nothing herein contained shall extend or be construed to extend to the Company, their Heirs or Assigns, any Right, Title, Claim, or Property to or in the said Waste Lands and the Seaweed, Sand, or Shells growing, deposited, or found thereon, which may be outside the Embankment to be constructed under the Authority of this Act, contrary to or against any Right, Title, Claim, or Interest of Her Majesty in right of Her Crown, or any Corporation or Person whomsoever: Provided always, that, notwithstanding anything herein contained, until the said

said Railway and Embankment in conjunction therewith shall have been so far completed as to exclude the Sea from the said Waste Lands or any Part thereof, it shall be lawful for all Persons who have been so accustomed to collect, gather, or procure such Seaweed, Sand, or Shells within or upon the said Waste Lands, as if this Act had not been passed; but in order to protect the Embankments from Injury it shall not be lawful to collect Sand, Mud, or Stones within a Line to be defined and marked off by the Company, which Line shall not be more than Twenty Yards from the Foundations of the said Embankment.

Company to lay out Roads for the Use of the Frontage Proprietors of Lands adjoining the Waste Lands.

XLVII. The Company shall, as soon as conveniently may be after the said Waste Lands shall have been reclaimed, lay out over those Parts of the said Waste Lands such convenient Roads for the Use of the Owners and Occupiers of the Lands adjoining, as to enable them to draw and carry away Sand and Seaweed from the Sea Beach or Shore for the Use of the said Lands, as the Commissioners herein-after appointed shall think fit and appoint for that Purpose.

Waste Lands vested in the Company, on Payment, &c.

XLVIII. As soon as the said Railway and the Embankment in conjunction therewith shall have been completed, and the Sea effectually excluded at High Tide by the Company, as hereby authorized, to the Satisfaction of Two Justices of the Peace of the County of *Clare*, not being Owners, Lessees, or Occupiers of any Land adjoining the said Waste Lands, or in any way interested therein, either directly or indirectly, and such Completion shall have been certified under their Hands, and the Certificate thereof filed of Record in the Office of the Clerk of the Peace for the County of *Clare*, and the Sum of One thousand two hundred Pounds and Interest has been paid to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, on behalf of Her Majesty, as herein-after directed, all and singular the Estate and Interest of Her Majesty in the Waste Lands which shall be so embanked by the Company, together with all the yearly or other Profits thereof, shall, on Payment or legal Tender of the Consideration to the Frontage Proprietors, as herein-after provided, and subject to the other Provisions herein contained, be vested in and become the Property of the said Company and their Assigns for ever, and thenceforth all and every the Estates, Rights, Titles, and Interests of all such Proprietors or Persons and Corporations whatsoever, or any Person or Persons deriving Right from or under them in the said Waste Lands, shall be barred and determined.

Compensation to be made for the Rights of the Crown.

XLIX. As Compensation for and in satisfaction of all the Estate, Right, Title, Interest, Claim, or Demand of Her Majesty in and to the Waste Lands and every Part thereof, the Sum of One thousand two hundred Pounds shall be paid by the Company to the Commissioners of Her

Her Majesty's Woods, Forests, and Land Revenues, on behalf of Her Majesty, on or before the First Day of *January* One thousand eight hundred and sixty-two, and if not then paid the Amount unpaid shall thenceforth carry Interest at the Rate of Four *per Centum per Annum* until the Principal is wholly paid, and such Principal and the Interest thereon shall be a Charge in favour of Her Majesty, Her Heirs and Successors, upon the Waste Lands and all the Works of the Company, and the Charge shall take Priority over all other Charges and Incumbrances whatsoever; and if all Principal and Interest be not paid to the said Commissioners on or before the First Day of *January* One thousand eight hundred and sixty-four the Commissioners or either of them from Time to Time may sell, in such Manner as they or he may deem expedient, so much of the Waste Lands as they or he may think requisite to pay the Principal and Interest and Costs and Expenses of the Crown; and the Purchaser or Purchasers of the Waste Lands sold shall be respectively entitled to and have the same Rights and Powers with respect to the Execution of the Works by this Act authorized, and with respect to the Embankment and Reclamation of the Waste Lands sold to them or him respectively, and otherwise so far as such Rights and Powers affect the same Lands as are by this Act vested in and conferred upon the Company; and the Receipt of the Commissioners or either of them for the Purchase Money shall in every Case be a sufficient Discharge to the Purchaser, who shall not be bound or at liberty to inquire whether any Default in Payment has been made, or as to the Necessity for the Sale; and the Purchase Money arising from such Sales shall be applied in paying, first, the Costs and Expenses of the Commissioners, and next, the Principal and Interest then due, and the Balance, if any, of such Purchase Money shall be paid to the Company.

Appointment of Commissioner.

L. *William Paul Prendergast* of *Westland Row* in the City of *Dublin*, Land Valuator, and his Successor, to be appointed in manner herein-after mentioned, shall be and is hereby appointed a Commissioner for the Purposes herein-after mentioned.

Commissioner of Valuation to supply Vacancies.

LI. In case the Commissioner herein named or any Commissioner hereafter to be appointed shall die or go to reside in Foreign Parts, or neglect, refuse, or become incapable to act, it shall be lawful for the Commissioner of the General Valuation of *Ireland*, acting under the Public General Act of the Fifteenth and Sixteenth *Victoria*, Chapter Sixty-three, and he is hereby authorized and directed, from Time to Time to nominate and appoint such other Person, not being interested in the Premises, as to him shall seem proper, in the Stead of such Commissioner so dying, or going to reside in Foreign Parts, or neglecting, refusing, or becoming incapable to act as aforesaid; and every Commissioner so nominated and appointed shall from and immediately after his

Appoint-

Appointment, and making the Declaration herein-after prescribed in that Behalf, have the same or the like Powers and Authorities in all respects as if he had originally named and appointed a Commissioner.

Commissioner to sign Declaration before acting.

LII. No Person shall act as a Commissioner in the Execution of this Act, except for the Purpose of signing and giving Notice of the First Sitting of the said Commission, until he shall have made and signed the Declaration following; (that is to say,)

"I *A. B.* do solemnly and sincerely declare, That I will faithfully and impartially, according to the best of my Skill and Ability, execute and perform the several Trusts, Powers, and Authorities vested and reposed in me as a Commissioner by virtue of "The Kilrush and Kilkee Railway and Poulnasherry Embankment Act, 1860," according to Equity and good Conscience, and without Partiality, Fear, Favour, or Affection, Prejudice or Malice, to any Person whomsoever."

Which Declaration it shall be lawful for any Justice of the Peace for the County of *Clare*, acting within his Jurisdiction, to take and receive, and such Justice is hereby required to take and receive the same; and if any Commissioner shall corruptly make such Declaration, or having made such Declaration shall wilfully act contrary thereto, he shall be guilty of a Misdemeanor.

Evidence of Refusal to act.

LIII. If the Commissioner herein appointed, or any Commissioner hereafter to be appointed under the Authority of this Act, and not prevented by Sickness or other unavoidable Cause, shall neglect to hold a Sitting upon Three successive Occasions after such Request and Lapse of Time as is herein-after mentioned, such Neglect shall be deemed a Refusal on the Part of such Commissioner to act in the Execution of this Act.

Sittings and Adjournment of Commission.

LIV. The said Commissioner shall and he is hereby required within Fourteen Days next after he shall be requested so to do by the Company to hold a Sitting of the Commission, and after such First Sitting to hold such and so many subsequent Sittings, by Adjournment or otherwise, as he shall find necessary; and every Sitting of the said Commission shall be held at some convenient Place within the County of *Clare*; and if on the Day appointed for such Sitting the Commissioner shall not attend, it shall be lawful for the Clerk of the Commissioner to adjourn such Sitting, to be held at the same or other convenient Place on any future Day, not exceeding Fourteen Days from the Day of Adjournment; and all the Powers and Authorities by this Act granted to or vested in the said Commissioner shall and may from Time to Time be exercised by him at any Sitting to be held in pursuance of this Act; and every Award, Order, and Determination of the said Commissioner, being reduced into Writing, and signed by him at such Sitting, shall be filed of Record in the

the Office of the Clerk of the Peace of the County of *Clare*, who is hereby authorized and required to file the same; and any such Award, Order, and Determination, or an Office Copy thereof certified by the Clerk of the Peace to be a true Copy thereof, shall, without further Proof, be *primâ facie* Evidence in all Courts and in all Proceedings whatsoever of such Award, Order, or Determination; and the said Commissioner shall and he is hereby required to cause Notice to be given of the Time and Place of such his First and every other Sitting, by causing the same to be inserted in One of the Newspapers published in the said County Seven Days at least before every such Meeting (a Sitting by Adjournment only excepted), and every such Notice shall certify the particular Cause or Object of such Sitting being appointed.

Commissioner may appoint a Clerk.

LV. It shall be lawful for the said Commissioner from Time to Time to appoint some fit and proper Person to be Clerk to the said Commission, at such Salary as he may think reasonable, to assist the said Commissioner in the Execution of the Powers and Duties given to or imposed upon him by this Act, and to remove such Clerk from Time to Time, and appoint another in his Room, as the said Commissioner shall deem proper.

Remuneration of Commissioner.

LVI. The said Commissioner shall be allowed and paid by the Company the Sum of Two Pounds Two Shillings and no more for each Day he shall travel or be employed in the Execution of this Act, in full Satisfaction for his Trouble and Expenses in executing the same; and the said Commissioner and the said Clerk shall defray his own Expenses, except Charges for travelling and for the Use of the Room in which the Sittings of the Commission shall be holden.

Power to summon Witnesses.

LVII. It shall be lawful for the said Commissioner, under his Hand, to summon any Person as a Witness whose Evidence he shall deem necessary or important in reference to the several Matters and Things to be decided, fixed, and determined by him as herein mentioned, also to tender and allow a reasonable Sum to such Witness for his Loss of Time, Costs, and Charges; and in case any such Witness shall, after Payment or Tender of such reasonable Sum as aforesaid, refuse or neglect, without a reasonable Excuse, to attend and give Evidence pursuant to such Summons, or shall attend and refuse to be examined upon Declaration (which Declaration the said Commissioner is hereby empowered to take and administer), then and in either of the said Cases, and as often as the same shall happen, every such Person shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered in like Manner as any Penalty recoverable under this Act or the Acts incorporated therewith.

Value of Lands enclosed to be ascertained, and One Fifteenth of such Value to be apportioned among Proprietors of adjoining Lands.

LVIII. And whereas the Company have agreed to apportion in manner herein-after mentioned the Value of One Fifteenth Part thereof among the Owners of the Lands abutting upon the said Waste Lands in respect of the Embankment hereby authorized to be made: The said Commissioner shall, as soon as conveniently may be after such Embankment shall have been completed, and the Sum of One thousand two hundred Pounds and Interest has been paid to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, as by this Act directed, ascertain and declare in Writing the Amount of One Fifteenth Part of the Value in Money of the Waste Lands so embanked as aforesaid, such Value to be ascertained according to the Value of the said Waste Lands in the State in which they shall respectively be at the Time of such Embankment being completed, and shall apportion such One Fifteenth Part amongst the Owners or reputed Owners of the Land abutting upon the said Waste Lands according and in proportion to the Extent of the Frontage of such Land abutting upon the same, and shall declare such Apportionment in Writing, and shall cause the same to be communicated to such Owners or reputed Owners, their Guardians or Trustees.

Proprietors of Land to receive Amount in full Satisfaction of their Rights, &c. in the Lands.

LIX. It shall be lawful for every Owner of Land abutting upon the Waste Lands hereby authorized to be embanked as aforesaid, or his Guardian or Trustee, to claim and be entitled to receive of and from the Company the Amount to be so apportioned to him as aforesaid, in full Compensation and Satisfaction of and for all the Estate, Royalty, Interest, or Right of such Owner in or to any Part of the said Waste Lands, and of and for all Loss, Damage, Injury, or Prejudice arising by or in consequence of the Operations by this Act authorized to any Estates, Royalty, Interest, or Right of any Owner or Occupier in or upon the said Waste Lands or any Part thereof, or in or upon any Lands abutting thereon, such Amount to be a Charge upon the said Waste Lands; and upon such Embankment being completed and certified in manner herein-before mentioned, and such Owner or Occupier having previously demanded of the Company in Writing the Payment of the Amount so to be apportioned to him as aforesaid, and Six Months having elapsed after such Demand without such Payment having been made, may raise, at any Time after such Grant has been made as aforesaid, such Amount and his Costs and Charges by Sale of a competent Part of the said Waste Lands.

Works, &c. to be maintained by Owners of reclaimed Lands.

LX. The Company shall at their own Expense, and in manner herein-after provided, maintain and keep in an efficient State of Repair the Works hereby authorized to be constructed in respect to the Reclamation of said Lands, or which may from Time to Time be essential for protecting the Lands or any Part thereof from Inundation, including the Beds

or Waterways of all new Cuts or Channels, and all such Roads (excepting always the Road to be maintained by Grand Jury Presentment within the Barony of *Moyarta* as before provided), Drains, Sluices, and Culverts, as may be made by them under the Provisions of this Act.

Commissioners to be appointed for maintaining Works.

LXI. It shall not be lawful for the Company to sell or lease any Part of the Lands to be reclaimed until the Company shall have completed the Construction of the said Embankment; and in order to provide for the permanent Maintenance of the said last-mentioned Works in such State of Repair as aforesaid, the Company and the Owners of not less than Twenty Acres of the said Waste Lands for the Time being shall be Commissioners for the above Purpose; and any Two of the said Commissioners shall have Power at any Time to convene a Meeting of such Commissioners, by Advertisement, published at least for Seven Days prior to such Meeting in some Newspaper circulating in the County of *Clare*, and any Three Commissioners who shall be present at such a Meeting shall form a Quorum.

Chairman to be appointed.

LXII. The Commissioners shall meet once at least in every Year, and at their First Meeting in each Year shall elect a Chairman, who shall remain in Office until another Chairman is elected in his Stead; and after the Appointment of such Chairman any Meeting of the Commissioners may be convened by Circular addressed to the respective Places of Abode of such Commissioners, by Order of the said Chairman: Provided always, that it shall not be necessary for such Chairman to be present in order to constitute a Meeting of Commissioners.

Officers may be appointed.

LXIII. On the Completion of the Embankment the said Commissioners shall, if necessary, have Power to appoint any Officer or Officers for the Purpose of superintending the Works connected with the Embankment and Reclamation, and for collecting the Rates hereby authorized, and to pay to such Officer or Officers such reasonable Salary as they may think fit.

How Expenses of Salaries, &c. to be provided for.

LXIV. The Salary of such Officer or Officers, as well as all other Costs, Charges, and Expenses which may be incurred by the said Commissioners in carrying the said Purposes into execution, shall be defrayed by means of a Rate to be assessed and levied upon and in respect of the Lands for the Time being reclaimed from the Sea under the Powers of this Act.

How Contributions to be assessed.

LXV. The Amount of such Rate shall from Time to Time be fixed and determined by the said Commissioners, and shall be assessed equally and

and proportionately in respect of every Acre of Land so reclaimed from the Sea.

For Recovery of Assessment.

LXVI. In case the said Rate shall not be paid within a Period of Twenty-one Days after the Day appointed by the Commissioners for Payment thereof, it shall be lawful for the Commissioners to levy the Amount thereof by Distress and Sale of the Goods and Chattels of the Occupier of the Lands, subject to the Payment of such Rate wheresoever the same may be found, and for such Purpose to enter upon the Lands and Premises of such Occupier, and to seize and take, and to carry away and sell, such Goods and Chattels, as in the Case of a Distress for Rent, without being liable for any Action of Trespass or otherwise in respect thereof: Provided always, that unless otherwise agreed between the Owner and Occupier of any such Lands, it shall be lawful for the Occupier thereof to deduct from the Rent payable by him to his Landlord the Amount of the Rate which he may have paid or in respect of which Distraint may have been made for and towards such Rate as aforesaid.

Local Survey may be ordered by Admiralty if necessary.

LXVII. If at any Time it shall be deemed expedient by the Admiralty to order a local Survey and Examination of any Works or Embankment of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every 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.

Provision in event of Works going into Disuse or Decay.

LXVIII. If any Work which has been or shall be constructed by the Company in, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects any such Water or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Admiralty to abate and remove the same, or such Part or Parts thereof as 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 recovered accordingly, with Costs of Suit.

Saving the Rights of Lords of Manor.

LXIX. Nothing herein contained shall extend or be construed to extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Lord or Lords of any Manor adjoining or contiguous to any Part or Parts of the said

said Waste Lands hereby authorized to be reclaimed as aforesaid, except so far as the same may be barred or extinguished by any Act, Deed, Matter, or Thing to be made, done, or executed in pursuance of this Act.

Saving Rights of all other Persons.

LXX. Saving and reserving always to all Persons all such Right, Title, Estate, and Interest, Claim and Demand, other and except such as are expressly barred and extinguished by this Act, or as shall be paid for or compensated for or granted without Compensation, in pursuance of this Act, as any Persons have held and enjoyed of, in, to, or out of the said Waste Lands authorized to be reclaimed by virtue of this Act, or any Part thereof, in case this Act had not been passed: Provided always, that (except as by this Act specially provided) nothing contained in this Act or in any of the Acts recited or referred to shall extend or be construed to extend to alienate, defeat, lessen, abridge, or derogate from any Estate, Right, Title, Interest, Franchise, Royalty, Prerogative, or Jurisdiction vested in or appertaining to the Queen's most Excellent Majesty, Her Heirs or Successors, in right of Her Crown, or otherwise howsoever.

Deposit Money not to be paid until Line opened, or Half the Capital paid up and expended, except on Execution of Bond, &c.

LXXI. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Three thousand and twenty-four Pounds, being Eight *per Cent.* of the Amount of the Estimate of the Expense of the said Railway, has been deposited with the Court of Chancery in *Ireland* in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum of Three thousand and twenty-four Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall previously to the Expiration of the Period limited by this Act for the Completion of the Railway either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and

Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom: Provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Three thousand and twenty-four Pounds shall have been executed by the Company, with One or more Sureties, such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitors to the Treasury, conditioned for Payment to Her Majesty, Her Heirs or Successors, of the Sum of Three thousand three hundred and twelve Pounds, if the Company shall not within the Time limited for the Completion of the Railway either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitors to the Treasury, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitors to the Treasury that such Bond has been executed and deposited as aforesaid, and the Certificate of the Board of Trade that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Provisions for General Railway Acts.

LXXII. Nothing in this Act contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to Railways, or to the better or 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 or of the Rates for small Parcels authorized by this Act.

LXXIII. The

The Kilrush and Kilkee Railway and Poulnasherry Reclamation Act, 1860.

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

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1860.