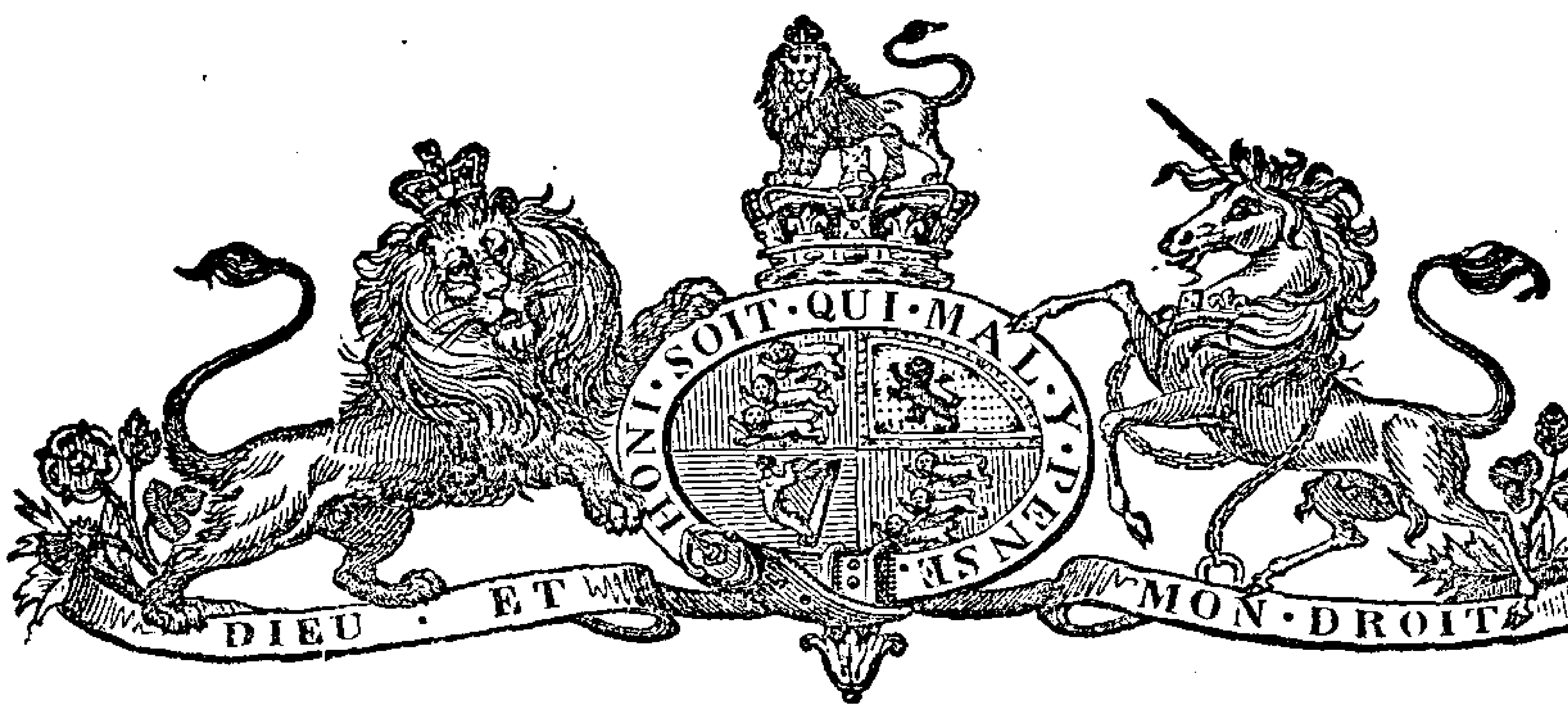



ANNO DECIMO SEXTO & DECIMO SEPTIMO

# VICTORIÆ REGINÆ.

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## *Cap.* cxiv.

An Act to authorize the Abandonment of a Portion of the Undertaking of the *Limerick, Ennis, and Killaloe Junction* Railway Company, and the Construction of a new Line of Railway in lieu of a Portion of the Line to be abandoned; and to revive in respect of a Portion of the said Undertaking the Powers of the said Company for the compulsory Purchase of Lands, and to extend in respect of the same Portion of the said Undertaking the Powers of the said Company for constructing Works; and to amend and repeal Portions of the Act relating to the said Company; and for other Purposes. [4th *August* 1853.]

WHEREAS by "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," a Company was incorporated by the Name of the *Limerick, Ennis, and Killaloe Junction* Railway Company, for the Purpose of making a Railway from the Borough or City of *Limerick* to the Borough of *Ennis*, with a Branch to 9 & 10 Vict. c. cxcv.

to the Town of *Clare*, and also a Branch from the said Borough or City of *Limerick* to the Town of *Killaloe* in the County of *Clare*, and with a Branch to join the *Great Southern and Western* Railway near *Limerick*: And whereas it is expedient that the said Company should be authorized to relinquish and abandon the Formation of the said Branch Railways to the Town of *Killaloe* and to the *Great Southern and Western* Railway, and also of a Portion of the Main Line of Railway near the City of *Limerick*, by the said recited Act authorized to be made: And whereas it is expedient that the said Company should be authorized to make the Line of Railway hereinafter mentioned in substitution for the said Portion of the said Main Line of Railway, the Formation of which is by this Act relinquished and abandoned: And whereas the Powers of compulsory Purchase of Lands granted by the recited Act, and since continued by Warrant bearing Date the Tenth Day of *June* One thousand eight hundred and forty-eight, under the Seal of the Commissioners of Railways, granted in pursuance of an Act of Parliament passed in the Session held in the Eleventh Year of the Reign of Her present Majesty, intituled *An Act to give further Time for making certain Railways*, have ceased by Effluxion of Time, and it is expedient that such Powers should be revived and continued for a further Period, except so far as the same had reference to those Portions of the Undertaking of the said Company which are by this Act relinquished and abandoned: And whereas the Powers granted by the said first-recited Act for making the Railways and Works thereby authorized will shortly expire, and it is expedient that such last-mentioned Powers should (except as aforesaid) be continued for a further Period: And whereas the Share Capital of the said Company, as limited by the said first-recited Act, was Three hundred thousand Pounds: And whereas that Amount will more than suffice for the Purposes of the Undertaking of the said Company as reduced by this Act, and it is therefore expedient that the Capital of the said Company should be reduced in the Manner and to the Extent herein-after mentioned: And whereas it is expedient to provide, as herein-after mentioned, for the Disposal of Shares in the said Company in respect of which Calls are or shall be in arrear, or which may have been declared forfeited: And whereas it is expedient that the Name of the said Company should be changed: And whereas the Construction and Completion of a Railway from the City or Borough of *Limerick* to the Borough of *Ennis*, with a Branch to the Town of *Clare*, as authorized by this Act, will contribute to the Advantage and Improvement of the County of *Clare*, and especially of the Baronies or Portions of Baronies therein herein-after mentioned, and will tend to lessen the Amount of Poor's Rates therein by affording increased Employment; and it is expedient that the said Baronies or Portions of Baronies should, to the Extent after mentioned, pay or contribute towards

11 & 12 Vict. c. 3.

towards the Payment of any Monies, and the Interest of any Monies, borrowed for the Purpose of making and completing such Railway and Branch Railway under the Provisions of this Act: And whereas it is expedient that some of the Provisions of the said Act should be altered and amended; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, as follows; (that is to say,)

Short Title.

I. That in citing or referring to this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Limerick and Ennis* Railway Act, 1853."

8 & 9 Vict. cc. 16. 18. & 20. and 14 & 15 Vict. c. 70. incorporated with this Act.

II. That "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," as altered by "The Railways Act (*Ireland*), 1851," "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*), 1851," shall be incorporated with and form Part of this Act.

Interpretation of Terms.

III. That in this Act the Expression "the Company," or "the *Limerick, Ennis, and Killaloe Junction* Railway Company," shall mean the Company incorporated by "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," and by this Act named "The *Limerick and Ennis* Railway Company."

Repealing certain Sections of recited Act.

IV. That from and after the passing of this Act the following Sections of "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," with respect to the Capital of the Company and the Division of such Capital into Shares, and with respect to Calls and the Payment of Interest thereon, and with respect to Meetings of the Company, and with respect to the Period within which Lands were to be purchased for the Purposes of the Railway by such Act authorized, and the Period within which such Railway was to be completed, and with respect to selling or leasing such Railway, (to wit,) Sections Four, Five, Six, Seven, Eight, Twenty-seven, Twenty-eight, Thirty-nine, and Forty of that Act, shall be and are hereby repealed.

Power to abandon Part of original Line and Branches to Killaloe, and to join the Great South-

V. That the Company shall abandon the Formation of the Portion of Railway and the Branch Railways herein-after mentioned; (that is to say,) so much of the Main Line of Railway by "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," authorized to be made, as is situate or authorized to be constructed between the Commencement of such Railway at *Limerick* and the Point in the Townland

ern and Western Railway.

land of *Park* in the Parish of *Saint Patrick* and in the County of *Limerick*, herein-after referred to, and shown on the Plans deposited as herein-after mentioned as the Point at which the new or substituted Railway by this Act authorized is intended to commence; the whole of the Branch Railway to the Town of *Killaloe* in the County of *Clare* authorized by "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," and therein described as being to diverge from the Main Line of Railway therein described and authorized in the Townlands of *Singland* and *Reboge* situate in the Parish of *Saint Patricks*, partly in the City or Borough and partly in the County of *Limerick*, and to terminate in the Townland of *Shantrand* at or near the said Town of *Killaloe;* and the whole of the Branch Railway to join the *Great Southern and Western* Railway authorized by "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," and therein described as intended to diverge from the said Main Line of Railway in the Townland of *Singland*, and passing through the said Townland and Part of the Townland of *Spital Land* to join the said *Great Southern and Western* Railway in the said Townland of *Spital Land.*

Compensation to be made where Contracts entered into or Notice given.

VI. That in any Case where, before the passing of this Act, any Contract has been entered into or Notice given by the Company for purchasing any Lands which they were by "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," empowered to purchase for the Purpose of constructing the Portion of Railway and Branch Railways by this Act authorized to be abandoned, they shall make to the Owners and Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof.

Saving Rights of Owners, &c. to Compensation for Entry to survey, take Levels, &c.

VII. That the Authority by this Act given for abandoning the Formation of the aforesaid Portion of Railway and Branch Railways shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway pursuant to the Provisions for that Purpose in "The Lands Clauses Consolidation Act, 1845," contained; but the Company shall not be liable to make Compensation in any of the Cases aforesaid

aforesaid unless the Claim for such Compensation shall have been made within Six Months from the passing of this Act.

Power to make new or substituted Line of Railway.

VIII. That it shall be lawful for the Company to make a Railway in substitution for the said Portion of Railway by this Act authorized to be abandoned, and such Railway shall commence at a Point on the Main Line of the said Railway from the City or Borough of *Limerick* to the Town of *Ennis* authorized by the recited Act, or near the Road on the South Bank of the Canal in the Townland of *Park* in the Parish of *Saint Patricks* in the County of *Limerick*, and shall terminate by Two Junctions with the *Waterford and Limerick* Railway, One of such Junctions being at a Point in the Townland of *Crossagala* in the Parish of *Saint Nicholas* in the County of *Limerick*, One Furlong and Four Chains South-east of the Point where the Mail Coach Road to *Kilmallock* intersects the *Waterford and Limerick* Railway, and the other of such Junctions being at a Point in the Townland of *Spital Land* in the Parish of *Saint Lawrences* and in the County of *Limerick*, Two Furlongs North-west of the said Point where the Mail Coach Road to *Kilmallock* intersects the *Waterford and Limerick* Railway.

Railway to be made according to deposited Plans.

IX. Whereas a Plan and Section of the Railway by this Act authorized to be made showing the Line and Levels thereof, and also a Book of Reference to such Plan containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands which may be required for the Purposes of the same, have been deposited for public Inspection in the Office of the Clerk of the Peace of the County of *Limerick*: Be it enacted, That, subject to the Powers of Deviation in "The Railways Clauses Consolidation Act, 1845," contained, the said Railway shall be made in the Line or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Level defined on the said Sections; and, subject to the Provisions in this Act and the Acts incorporated herewith contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes of the said Railway and the Works connected therewith.

As to Junctions with the Waterford and Limerick Railway.

X. That the Junctions hereby authorized with the *Waterford and Limerick* Railway shall be made at the Points and according to the Levels shown on the said Plans and Sections, and not elsewhere or otherwise, without the Consent in Writing of the *Waterford and Limerick* Railway Company, and that all Communications between the Railway hereby authorized and the *Waterford and Limerick* Railway shall be effected in a substantial and workmanlike Manner by means of Connexion Rails and Points of the Construction and laid

laid in the Manner most approved from Time to Time, and to the reasonable Satisfaction of the *Waterford and Limerick* Railway Company.

Provision as to Expense of Junction.

XI. That the Expense of the Communications hereby authorized with the *Waterford and Limerick* Railway, and of all necessary Openings in the Rails thereof respectively, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of watching, regulating, and adjusting the same, and the Passage of the Traffic there, shall be borne and paid by the Company; and that all such Communications, Openings, and other Works shall not only be in the first instance made and done, but also from Time to Time be altered, amended, repaired, and maintained, to the reasonable Satisfaction of the *Waterford and Limerick* Railway Company on each Occasion, and in such Manner and Form, and by such Ways and Means, as shall not in anywise prejudice or injure the said *Waterford and Limerick* Railway Company, or (except in so far, if at all, as may be unavoidably necessary for effecting the Communication hereby authorized,) impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along their Railway; and the Control and Management of all such Communications, Openings, and other Works shall be and the same is hereby vested in the said *Waterford and Limerick* Railway Company, subject to the Provision for Settlement of Differences hereinafter contained.

For Settlement of Differences.

XII. That if any Difference shall arise between the respective principal Engineers for the Time being of the said Companies with respect to the Points at which the said Communications, Openings, and other Works, or any of them, are or is to be constructed, or the Mode of constructing the same, or with respect to any Alteration, Amendment, Repairs, or Maintenance thereof, or the watching, Regulation, or Adjustment thereof, or the Passage or Regulation of the Traffic there, or if any other Difference shall arise between the said Engineers or the said Companies with respect to the Expenses payable by the Company under the foregoing Provisions, or with respect to any other Matter in any way relating to or consequent upon the Construction or Use of the said Communications, Openings, and other Works, the Matters in difference shall from Time to Time be decided by an Umpire to be appointed by the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, on the Application of either Company, and the Decision of such Umpire shall be binding and conclusive on both the said Companies, and his Expenses shall be defrayed by such One of the said Companies or by both of them, and in such Proportions as the said Umpire shall from Time to Time direct.

XIII. That

Saving Works and Property of the Waterford and Limerick Company.

XIII. That, notwithstanding anything in this Act contained, it shall not be lawful for the Company, or any Persons acting under or in execution of this Act, without the Consent of the said *Waterford and Limerick* Railway Company under their Common Seal, either permanently or temporarily to enter upon, take, or use any of the Lands or Property of the said *Waterford and Limerick* Railway Company, or which they have Power to take or use under their respective Acts of Parliament, or in any Manner to alter, vary, or interfere with their Railways or any of the Works appertaining thereto, save only for the Purpose of constructing the Railway and effecting the Communications by this Act authorized.

Saving Rights of the Waterford and Limerick Railway Company.

XIV. That, except as in this Act otherwise expressed, nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities of, or vested in, or belonging to the said *Waterford and Limerick* Railway Company, but all their Rights, Privileges, Powers, Franchises, and Authorities under their several Acts of Parliament and otherwise are hereby expressly saved and reserved.

The Company to construct an Archway for carrying Pipes of the Limerick Waterworks Company over the Railway.

XV. Whereas the new or substituted Line of Railway by this Act authorized (as shown on the Plan and Section thereof deposited with the said Clerk of the Peace for the said County of *Limerick*) is intended to pass through and intersect in cutting a Strip or Piece of Land belonging to or claimed by the *Limerick* Waterworks Company in the Townland of the *Voyel* extending from the River *Shannon* to the Reservoirs and Works of the said Company, along which is laid a Main or Pipe of the said *Limerick* Waterworks Company: Be it enacted, That the Company shall, at their own Charges, construct and for ever after maintain an Archway or Bridge over the said Railway at the Point where such Railway intersects such Piece of Land as aforesaid, which Archway or Bridge shall be constructed, under the Superintendence and to the reasonable Satisfaction in all respects of the Engineer for the Time being of the said *Limerick* Waterworks Company, of a Width of not less than Eight Feet, and so as to carry the said Main or Pipe or any other Mains or Pipes which may hereafter be laid down by the said *Limerick* Waterworks Company over the said Railway at the present Level of the existing Main or Pipe, and the Construction of such Railway and Bridge respectively at the Point aforesaid shall be so commenced, carried on, and prosecuted as not to endanger, interrupt, or prejudicially affect the proper Supply and Flow of Water along the said Main or Pipes belonging to the said *Limerick* Waterworks Company.

Archway to be used by Waterworks Company.

XVI. That the said Archway or Bridge so to be constructed and maintained by the said Railway Company shall and may for ever thereafter

thereafter be used and enjoyed by the *Limerick* Waterworks Company for the Purposes of their said Works or otherwise.

**Compensation to be made for any Injury done to Great Lax Weir.**

XVII. That the Company shall and they are hereby declared liable to pay to the Parties for the Time being entitled to receive the same full Compensation for any Injury which may be caused to the *Great Lax Weir* at or near *Corbally* on the River *Shannon* by or in consequence of the Construction of any of the Works of the said Company, and the Amount of such Compensation (if any) shall be ascertained under the Powers and Provisions of "The Lands Clauses Consolidation Act, 1845."

**Period for Completion of Works.**

XVIII. That after the Expiration of Five Years from the passing of this Act all the Powers hereby granted to the Company for making and maintaining the said Railway shall cease.

**Level Crossings.**

XIX. That, subject to the Provisions in "The Railways Clauses Consolidation Act, 1845," contained, with respect to the crossing of Roads on the Level, it shall be lawful for the Company to carry and maintain the said Railway by this Act authorized to be made across the Roads or Highways numbered as herein-after mentioned on the Plans deposited as aforesaid on the Level of the said Roads or Highways respectively; (that is to say,)

The Road numbered 19, in the Townland of *Reboge* in the Parish of *Saint Patricks:*

The Road numbered 23, in the Townland of *Singland* in the Parish of *Saint Patricks.*

**Station or Lodge to be erected at Points of level Crossings.**

XX. That 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 said Railway crosses the before-mentioned Roads on the Level, and the Company shall be subject to and shall 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 and 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**

XXI. That 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

hereafter to require the Company, within such Time as the Board shall direct, and at the Expense of the Company, to carry any or either of the said Roads either over or under the said Railway by means of a Bridge or Arch in lieu of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board to be best adapted for removing or diminishing the Danger arising from such level Crossing; but where any such Road shall be so carried either 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 thereof, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Bridges in lieu of level Crossings.

XXII. 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 shall be deposited with the Postmasters of the Post Towns in or nearest to the several Parishes in *Ireland* in which the Lands affected thereby shall be situate; and it is also provided that certain Plans and Sections of such Alterations in the original Plans and Sections as shall have been approved by Parliament shall also be deposited with such Postmasters, and be retained and produced by them for Inspection in manner therein mentioned: And whereas, in compliance with the present Standing Orders of both Houses of Parliament, the several Plans, Sections, and other Documents heretofore required to be deposited with the Postmasters of the Post Towns in *Ireland* are now deposited with the Clerks of the Unions instead of such Postmasters: Be it therefore enacted, That with reference to this Act or the recited Act, in all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or the Word "Postmaster," shall be read and construed as if the Expression "Clerks of the Union 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.

Deposit of Plans with Clerks of Unions.

XXIII. That it shall be lawful for the Company to demand and receive, in respect of the said Railway by this Act authorized to be made, and of the Engines and Carriages employed thereon, all such Tolls and Charges as they would have been entitled to demand and receive if the said Railway had been constructed under the Authority of "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," and

Company to take same Tolls on new Line as on original Line.

and the several Provisions of that Act with respect to Tolls and Charges and maximum Charges (to wit), the Sections in that Act numbered from 30 to 37, inclusive of both Numbers, shall be and are incorporated with this Act.

Passengers Luggage.

XXIV. That every Passenger travelling upon the said Railway by this Act authorized to be made may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Conveyance thereof.

Revival and Extension of Time for Purchase of Lands for Purposes of Railway.

XXV. That, except with reference to the said Portion of Railway and Branch Railways the Construction of which is herein-before authorized to be relinquished and abandoned, and subject to the Provisions of the recited Act and "The Lands Clauses Consolidation Act, 1845," incorporated therewith, contained, as altered and amended by "The Railways Act (*Ireland*), 1851," all the Provisions of "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," and of the Acts incorporated therewith, which relate to the compulsory Purchase or taking of or Entry upon Lands required to be taken or used for the Purposes of the Railway and Works by that Act authorized to be made, shall be and the same are accordingly hereby revived within the several Parishes, Townships, Townlands, and extra-parochial or other Places following; (that is to say,) the Townland of *Spittal Land* in the Parish of *St. Lawrence*, partly in the County of the City or Borough of *Limerick* and partly in the County of *Limerick*; the Townlands of *Singland* and *Park* in the Parish of *Saint Patrick*, partly in the County of the City or Borough of *Limerick* and partly in the County of *Limerick*; the Townland of *Reboge* in the said Parish of *Saint Patrick*, both situate partly in the said City or Borough of *Limerick* and partly in the County of *Limerick*; the Townland of *Corbally* in the said Parish of *Saint Patrick* and partly in the Parish of *Killeely* in the County of *Limerick*; the Townlands of *Monabraher* and *Ballynantymore* in the Parish of *Killeely* in the County of *Limerick*; the Townlands of *Ballygrennan* and *Cloncoonane* in the Parish of *Saint Munchins* in the County of *Limerick*; the Townland of *Gurtgarrane* in the Parish of *Saint Munchins* in the County of *Clare*; the Townlands of *Pass Stone*, *Park*, *Punchbowl*, *Meelick*, *Bull's Farm*, *Woodcock Hill*, *Burton Hill*, *Cratloemoyle*, *Cratlokeel*, and *Cratloe*, in the Parish of *Killeely* in the County of *Clare*; the Townlands of *Laghill*, *Ballymorris*, *Brickhill West*, *Brickhill East*, *Ballinphunta*, *Calluragh*, *Ballintlea*, *North Castle Quarter*, *Carrowmore*, *Ballyliddan West*, and *Carrownerribul*, in the Parish of *Kilfintinan* in the County of *Clare*; the Townlands of *Cappagh South*, *Six-mile-bridge*, *Cappah Lodge*, *Cappah North*, and *Ballysheenmore*,

*sheenmore*, in the Parish of *Kilfinaghta* in the County of *Clare*; the Townlands of *Feenagh* (*Wilson*) and *Rathbeg* in the Parish of *Feenagh* in the County of *Clare*; the Townlands of *Rathlaheen South*, *Ballycar*, *Carrownakilly*, *Granaghanbeg*, *Caherschooby*, *Mooghaun North*, and *Ayleacotty*, in the Parish of *Tomfinlough* in the County of *Clare*; the Townlands of *Ballykilty*, *Ballyhannan South*, and *Carrowmeer*, in the Parish of *Quin* in the County of *Clare*; the Townlands of *Ardsollus* and *Castlefergus* in the Parish of *Doora* in the County of *Clare*; the Townlands of *Derreen*, *Manusmore*, *Carrowgar*, *Killow*, *Knockanamana*, *Skehanagh*, *Clare Abbey*, *Clare Commons*, and *Clare Hill*, in the Parish of *Clare Abbey* in the County of *Clare*; and the Townland of *Clonroadmore* in the Parish of *Drumcliff* in the County of *Clare*, shall be and the same are hereby revived, so far as the same relate to the several Parishes, Townlands, and other Places aforesaid, and may be exercised by the Company for a Period of Three Years from the passing of this Act, during which Period, subject to the Provisions of the said Acts as altered and amended as aforesaid, the said Lands or any Part or Parts of the same may be entered upon, purchased, and taken for the Purposes aforesaid: Provided always, that on the Expiration of the said Period of Three Years all the said Powers by this Act revived and extended shall cease and determine.

Existing Contracts not to be prejudiced.

XXVI. That the last preceding Enactment shall not prejudice or affect any Contract or Agreement for the Purchase or taking of Lands entered into before the passing of this Act, but where before the passing of this Act any such Contract shall have been entered into or Notice given by the Company for purchasing or taking any Lands for the Purposes of their Undertaking, any such Contract and Notice respectively shall be construed and take effect, and the same Proceedings shall be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, as if this Act had not been passed.

Parties aggrieved by Extension of Time may have Compensation.

XXVII. That the Arbitrator who shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Persons interested in any Lands to be taken or used under the Powers of this Act for the Purposes of the Railways by the recited Act authorized shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage, if any, sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time for the Purchase of Lands under the Provisions of this Act.

Extending Period for Completion of Works.

XXVIII. That the Powers granted by "The *Limerick*, *Ennis*, *and Killaloe Junction* Railway Act, 1846," for making the Railways and Works

Works by such Act authorized, may, except as aforesaid, be exercised by the Company for a further Period of Five Years from the passing of this Act: Provided always, that on the Expiration of that Period those Powers shall cease.

Capital, Number, and Amount of Shares.

XXIX. That the Capital of the Company in Shares shall be One hundred and fifty thousand Pounds, and shall be divided into Six thousand Shares of Twenty-five Pounds each, and all and every Part of the Monies raised by such Shares shall be applicable only to the Purposes of the first-recited Act as altered and amended by this Act.

Every Holder of a 50*l.* Share to become Holder of 25*l.* Shares.

XXX. That every Person or Corporation in whom any Share in the Capital of the Company shall be vested immediately before and at the Time of the passing of this Act shall, immediately on the passing of this Act, stand and be possessed of One Share of the nominal Value of Twenty-five Pounds in the Capital of the Company for every Share in such Capital of the nominal Value of Fifty Pounds held by such Person or Corporation immediately before and at the Time of the passing of this Act, and upon the same Trusts, and subject to the same Provisions, Declarations, Agreements, Charges, and Incumbrances, to which every such Fifty Pound Share shall have been subject and liable immediately before and at the Time of the passing of this Act, and so as to give effect to and not revoke any Will or testamentary Instrument disposing of or affecting any such Fifty Pound Share.

Money paid on account of original Shares to be deemed as paid on account of new Shares.

XXXI. That all Sums of Money which at the Time of the passing of this Act shall have been actually paid up on account of the Shares created under the Powers of "The *Limerick*, *Ennis*, *and Killaloe Junction* Railway Act, 1846," shall be deemed to have been paid up on account of the Shares to be substituted for the same in pursuance of the last preceding Enactment.

Secretary to give Notice to Shareholders, and exchange new for old Shares.

XXXII. That within One Month after the passing of this Act the Secretary of the Company shall give Notice to every Shareholder, by Circular sent through the Post Office in a registered Letter to the last known Place of Abode or Business of such Shareholder as described in the Shareholders Address Book, that such Shareholder is required, within a Period to be fixed by the Directors and specified in the Notice, to forward the Certificates or Scrip of all Shares in the Capital of the Company held by him to be cancelled and exchanged, and the Company shall cause all Certificates or Scrip of Shares forwarded to the Secretary in pursuance of such Notice to be cancelled, and shall cause to be forwarded to every such Shareholder, free of Expense, One new Certificate of the Proprietorship of an equal Number of Twenty-five Pounds Shares in lieu of the Certificate or Certificates

Certificates or Scrip or Scrips of Proprietorship of Fifty Shares which shall have been received by the Secretary from such Shareholder.

Powers for enforcing Payment of Calls not to be affected.

XXXIII. That nothing in this Act contained shall prejudice or affect the Right of the Company to enforce the Payment of Calls, or to declare Shares forfeited on Nonpayment of Calls, or to sue any Shareholder for any Amount which may from Time to Time be due from him in respect of Calls made before or at any Time subsequent to the passing of this Act, or to prevent the Recovery of such Amount, with lawful Interest, from the Day on which such Calls were payable, in the Manner provided by "The Companies Clauses Consolidation Act, 1845."

Actions for Calls not to abate.

XXXIV. That no Action, Suit, or other Proceeding at Law or in Equity commenced by the Company at any Time before the passing of this Act against any Shareholder for the Recovery of any Amount which may be due from him in respect of any Call shall be affected by anything in this Act contained.

Forfeited Shares may be cancelled with Consent of Proprietors.

XXXV. That where any Share in the Company shall have been or shall be declared forfeited, it shall be lawful for the Company, on confirming such Forfeiture, and with the Consent in Writing of the Person who at the Time of such Declaration of Forfeiture was the registered Proprietor thereof, to resolve and direct that the same, instead of being sold, shall be cancelled, and upon the passing of such Resolution such Share shall be *ipso facto* cancelled, and all Liabilities and Rights upon or in respect of such Share shall thenceforth be absolutely extinguished.

Forfeited Shares which cannot be sold may merge in the Company.

XXXVI. That in all Cases where any Share in the Company shall have been or shall be declared forfeited, and such Forfeiture shall have been or shall be confirmed by a General Meeting of the Company in accordance with the Provisions of "The Companies Clauses Consolidation Act, 1845," and Notice of such Forfeiture shall have been or shall be given by Advertisement in the *Dublin Gazette*, and in some Newspaper published or circulating in the County in which the principal Office or Place of Business of the Company is or shall at the Time be situate, it shall be lawful for the Directors of the Company, if they shall be unable to sell such Share for a Sum equal to the Arrear of Calls and Interest due in respect thereof, at the next General Meeting of the Company which shall be held after an Interval of at least Two Months after such Notice shall have been given as aforesaid, (unless Payment of all Arrears of Calls, together with the Interest due thereon, and the Expenses, be made by the registered Owner before such Meeting be held,) to declare the same to be merged in the general Capital Stock of the Company, and the same shall thenceforth merge accordingly;

accordingly; and a Declaration in Writing made by some credible Person before any Justice of the Peace, stating that a Sum of Money sufficient to pay the Arrears of Calls and Interest in respect of such Shares could not be obtained for the same upon the Stock Exchange in either of the Cities of *London* or *Dublin* at the Time of such Merger, shall be conclusive Evidence of the Fact therein stated; and the Proprietor of such Share shall, from and after the making of such Declaration by the Directors, be precluded from all Right and Interest therein, but such Merger shall not affect or alter the Liability of the last Proprietor of any such Share to pay to the Company the Arrear of Calls and Interest due in respect of such Share at the Time of such Merger, or the Powers of the Company to enforce Payment thereof by Action: Provided nevertheless, that the Value of the Share at the Time of such Merger shall be deducted from the Amount which may be due as aforesaid, and that if Payment of all Arrears of Calls and Interest and Expenses shall be made as aforesaid, such Share shall revert to the Person to whom the same belonged before Forfeiture, and shall be so re-entered upon the Register.

Company may issue new Shares in lieu of Shares merged in Company.

XXXVII. That in lieu and instead of any Share in the Company which shall be cancelled or merged as aforesaid, it shall be lawful for the Company from Time to Time to create and issue such new Shares of such Amount, and with such Guarantee or Right to a preferential or fixed Dividend, not exceeding Six Pounds *per Centum per Annum*, and generally upon such Terms and in such Manner, as by the Votes of Three Fifths at least of the Shareholders of the Company present, in Person or by Proxy, at a General Meeting of the Company shall be resolved and determined; provided that no such Guarantee of preferential or fixed Dividend shall operate to defeat or prejudice any Preference or Priority in the Payment of Interest or Dividend on any Shares or Stock in the Company created or issued by the Company before the passing of this Act, or confirmed by any Act, or otherwise lawfully subsisting at the Time of the passing of this Act: Provided also, that the Company shall not, by the Creation of new Shares as aforesaid, increase the aggregate Amount of their Capital as limited by this Act, and that the Capital to be raised by the Creation of such new Shares shall be applied only to the Purposes of this Act and of the first-recited Act as altered and amended by this Act.

As to Name of Company.

XXXVIII. That from and after the passing of this Act the Company incorporated by the first-recited Act shall be called "The *Limerick and Ennis* Railway Company," and under such last-mentioned Name shall henceforth sue and be sued, and have perpetual Succession and a Common Seal, in like Manner as if they had been originally incorporated by such last-mentioned Name, and shall have and be subject to all such and the same Rights, Powers, Privileges, and

and Immunities, Restrictions and Liabilities, as immediately before the passing of this Act they had and were subject to under the Name of the *Limerick, Ennis, and Killaloe Junction* Railway Company, except in so far as such Powers, Rights, Privileges, Immunities, Restrictions, and Liabilities may be altered under the Provisions of this Act.

Actions not to abate in consequence of Change of Name.

XXXIX. That all Acts, Deeds, Matters, and Things heretofore made, done, committed, or executed by, with, on behalf of, or with reference to the Company shall be as good, valid, binding, and effectual to all Intents and Purposes as they respectively would have been if the Name of the Company had not been changed by this Act; and no Action, Suit, or legal Proceeding whatsoever which may be pending at the Time of the passing of this Act between the Company and any other Person or Corporation, or in which the Company may be party or concerned, shall abate or be discontinued or be in any Manner affected by reason of the Change of Name of the Company, but all such Actions, Suits, and Proceedings shall and may be lawfully continued in the Name of the "*Limerick and Ennis* Railway Company" as if this Enactment had not been made.

Saving Rights.

XL. That the Change of Name of the Company shall not in any other Manner affect the Rights, Privileges, or Remedies of the Company as against other Persons or Corporations, or the Rights, Privileges, or Remedies of any other Person or Corporation as against the Company.

Power to borrow on Mortgage.

XLI. That when and so soon as the whole of the Capital of the Company in Shares as limited by this Act shall have been subscribed for, and One Fourth thereof shall have been actually paid up, then it shall be lawful for the Company at any Time, or from Time to Time, to borrow any Sum or Sums of Money not exceeding in the whole the Sum of Seventy-five thousand Pounds, and to mortgage, convey, assign, and assure all future Calls upon the Shareholders in the Company, and also all and every the Railway Undertaking authorized to be constructed by the Company, and the Works, Lands, Property, Chattels, and Effects of the Company connected therewith, and all Rates, Tolls, Profits, and Receipts accruing and hereafter to accrue to or for the Use of the Company, and all other Works and Property of or to which the Company now are or hereafter may be seised, possessed, or entitled in any Manner whatsoever for securing the Repayment of any Sum or Sums of Money which shall be so borrowed as aforesaid, or to give Bonds for the same: Provided always, that all and every Part of the Monies so to be borrowed shall be applied exclusively on and to the Purposes of the Railways which will, after the passing of this Act, constitute the Undertaking of the Company.

XLII. That

Baronies to pay Interest on Loan in certain Events.

XLII. That if any Monies shall be borrowed by the Company under the Provisions of this Act, then a Sum equal to the half-yearly Interest, at a Rate not exceeding Four Pounds for the Hundred Pounds by the Year, on the Sum or Sums so borrowed, but not at any One Time exceeding in the whole the Sum of Seventy-five thousand Pounds, shall (subject as herein-after mentioned) be paid half-yearly to the said Company by the several Baronies and Half Baronies of *Bunratty*, *Lower Bunratty*, *Upper Burren*, *Clonderalaw*, *Corcomroe*, *Ibrickane*, *Inchiquin* Islands, *Moyarta*, *Tulla Lower*, and *Tulla Upper*, in the County of *Clare*, rateably and in the Proportions to be ascertained as herein-after mentioned: Provided nevertheless, that if after the said Railway or any Part thereof shall have been opened there shall be any Profit arising from the said Railway in any Half Year (such Profit to be ascertained as herein-after mentioned), then the Amount thereof shall be deducted from the half-yearly Amount which would otherwise be payable by such Baronies or Half Baronies, and if such Profit shall equal or exceed the Amount so to be paid, then no such Payment shall be made by such Baronies or Half Baronies for such Half Year: Provided also, that if the Profit in any Half Year shall exceed the Amount of Interest payable by such Baronies or Half Baronies, then the Amount of surplus Profit shall be deducted from the half-yearly Amount payable by such Baronies or Half Baronies for the next subsequent Half Year.

Board of Public Works in Ireland to appoint Arbitrators to determine Proportion to be paid by each Barony, &c.

XLIII. That for the Purpose of ascertaining the Proportions in which such Baronies or Half Baronies shall pay the said Sum so to be paid half-yearly as aforesaid, and during such Time as the same shall be payable, it shall be lawful for the Commissioners for the Promotion and Extension of Public Works in *Ireland* (at or upon the Request of the Company, from Time to Time by Warrant under the Hand of their Secretary for the Time being), to appoint as Arbitrator the County Surveyor for the Time being of the County of *Clare*, and Two other Persons, to be selected by the said Commissioners; and such County Surveyor and other Persons shall, by their Award in Writing, assess and determine the relative Proportions in which such Sum shall be paid and made up by the said several Baronies or Half Baronies; and the said Arbitrators in making such Award shall take into consideration the Benefit or supposed Benefit (immediate or prospective) which such Baronies or Half Baronies may in the Opinion of the said Arbitrators be likely to derive from the Formation and Opening of the said Railway; and the Award of such Arbitrators under their Hands, or under the Hands of any Two of them (in case all the said Arbitrators shall be unable to agree), shall, when allowed by the said Commissioners by Writing under the Hand of their Secretary, to be endorsed upon the said Award, be in all respects final and binding on the said Baronies and Half Baronies; and from and immediately after the Allowance

Allowance of such Award by the said Commissioners the said several Baronies and Half Baronies, and all Lands, Tenements, and Hereditaments therein respectively, shall be and are hereby charged and made chargeable with the Payment of such Sum in the several Proportions specified and set forth in such Award; and after such Award shall have been allowed in manner aforesaid the same and such Duplicate thereof as may be necessary shall, upon the Request of the Company, be delivered to the Company upon Payment by the Company of such Remuneration to the said Arbitrators for their Trouble in relation to such Award as the said Commissioners shall determine.

Board of Public Works in Ireland to appoint Auditors of Company's Accounts.

XLIV. That the Commissioners for the Promotion and Extension of Public Works in *Ireland* shall and they are hereby authorized and required from Time to Time to appoint a fit and proper Person or fit and proper Persons (not exceeding Three in Number) as Auditor or Auditors to audit the Accounts of the said Company, and to make Certificates in pursuance of the Directions herein-after contained; and it shall and may be lawful to and for the said Commissioners from Time to Time to revoke the Appointment of such Auditor or Auditors, or any of them, and such Auditor or Auditors from Time to Time to remove, and his or their Powers and Authorities to revoke, and any other Person or Persons in the Place of such Person or Persons so displaced, or of any Person dying, to appoint with the same Powers or Authorities; and the said Company shall pay to such of the Auditors so appointed such Sum for his Trouble in making such Audit, and in relation thereto, as the said Commissioners shall from Time to Time fix and determine.

Company to keep Account of Profits.

XLV. That for the Purpose of ascertaining the Amount of net Profits (if any) of the said Railway the said Company shall, from Time to Time and at all Times, and within One Calendar Month after the Thirtieth Day of *June* and the Thirty-first Day of *December* in every Year, make out or cause to be made out, and render to the said Auditor or Auditors, a full, true, and distinct Account of all the Receipts and Expenditure for the then preceding Half Year of and relating to the said Railway and every Part thereof, which Account the said Auditor or Auditors shall and he or they is and are hereby authorized and empowered to examine with the Documents and Vouchers evidencing the same, which Documents and Vouchers, and all Books, Papers, and Accounts in the Custody or Control of the said Company relating to the Business of the said Company, shall, upon the Request of the said Auditor or Auditors, be forthwith produced by the said Company to such Auditor or Auditors, who shall be at liberty to examine the same; and for the Purpose of judging of the Accuracy of such Account such Auditor or Auditors shall and may and he and they is and are hereby empowered to examine

examine all the Accounts of the said Company, which said Accounts, and the Vouchers relating to the same, the said Company are hereby directed to keep and produce during such Time as aforesaid as the said Auditor or Auditors shall adjust and balance such Accounts; and as to all other Matters relating to the said Accounts, or what shall be considered as Profit, their Decision shall in all respects be final and conclusive on all Parties.

**Auditor to ascertain Payments made by Company and Amount of Profit.**

XLVI. That on the Completion of every half-yearly Audit such Auditor or Auditors shall ascertain and determine whether the said Company have, by themselves or otherwise, for the preceding Half Year made such half-yearly Payments as by virtue of the Security or Securities for any such Loan or Loans the said Company shall be liable to pay, and shall ascertain and determine the Amount (if any) of Profit which shall appear on such Account to have been made during such Half Year.

**Auditor to certify Sums payable by Baronies.**

XLVII. That after the Railway shall have been completed and opened for Public Traffic, when and so often as such Auditor or Auditors shall find that the said Company have made such Payments as aforesaid for the preceding Half Year, and not before then, he or they shall, by a Certificate under his or their Hands, certify the same, and also the Amount of Profit (if any) appearing on such Account as aforesaid, and after deducting such Profit (if any) from the Amount of the said half-yearly Payments of Two Pounds *per Centum*, or such other and lesser Sum as aforesaid, to be paid by such Baronies or Half Baronies as aforesaid, the said Auditor or Auditors shall in such Certificate ascertain and state the proportionate Part of such Instalments which is to be raised and levied in each such Barony or Half Barony, such proportionate Parts to be ascertained and determined according to the several Proportions to be specified and set forth in the Award of the Arbitrator or Arbitrators as herein-before mentioned: Provided nevertheless, that when and so often as the Profit on any such Account as aforesaid shall equal or exceed the said half-yearly Payment of Two Pounds *per Centum*, or such other and lesser Sum as aforesaid, to be paid by such Baronies or Half Baronies, then such Auditor or Auditors shall state the same in such Certificate, and that consequently for such Half Year no Payment is to be made in respect of such half-yearly Payment secured to be made by the said Baronies or Half Baronies, and every such Certificate shall be final and binding on all Parties: Provided also, that whenever in any Half Year the Amount of Profit shall not equal the Amount of Interest payable by such Baronies and Half Baronies, the said Auditor shall and he is hereby required to take into account the surplus Profit, if any, of the next preceding Half Year, and to deduct from the Amount to be paid by such Baronies or Half Baronies the Amount of such surplus

surplus Profit, and shall state in the said Certificate the Amount of surplus Profit so deducted.

Provision with respect to Profit and Loss Account.

XLVIII. That in taking and keeping the aforesaid Account of Profit and Loss no Payment by the said Company, nor any Receipts by the said Company, in respect of such half-yearly Payments of Two Pounds *per Centum*, or such other and lesser Sum as aforesaid, shall be taken into account as Profit or Loss, but the same shall solely contain the Amount of Income and Expenditure relating to the aforesaid Railway.

Auditors to deliver Certificate to Company.

XLIX. That the said Auditor or Auditors shall, on the Request of the said Company, and within One Calendar Month after the Date of every such Certificate, deliver the said Certificate and a Duplicate or Duplicates thereof to the said Company.

Sums mentioned in Auditor's Certificate to be presented by Grand Jury and paid by Treasurer.

L. That the said Company shall from Time to Time deliver such Certificate or such Duplicate thereof as aforesaid to the Secretary of the Grand Jury of the County of *Clare*, and the Secretary of the Grand Jury for the County of *Clare* shall by such Certificate or Duplicate thereof before the said Grand Jury at the Assizes for the said County next after he shall have received the same, and it shall be lawful for such Grand Jury, and they are hereby required, from Time to Time, and without Application to Presentment Sessions, to present the Sum mentioned in every such Certificate relating to such Baronies and Half Baronies to be raised and levied off such respective Baronies and Half Baronies in the said County, and the same shall be raised and levied accordingly, together with, and in like Manner, and subject to like Provisions as other Monies presented by such Grand Jury at the same Assizes are raised and levied; and the Treasurer of the said County of *Clare*, out of the first Monies collected and remaining in his Hands after Repayment of Government Advances, Gaol Expenses, and Salaries of Public Officers payable by him, shall pay the Sum so presented by the said Grand Jury unto the said Company, or in such other Manner as the said Company shall direct; and if the said Grand Jury shall fail to present the Sum or any Part thereof contained in any such Certificate relating to such Baronies or Half Baronies, the said Treasurer of the County of *Clare* shall and he is hereby required to insert such Sum, or such omitted Part thereof, in his Warrant for raising the Monies presented at the same Assizes as if such Sum had been duly presented by the said Grand Jury to be raised in manner herein-before mentioned off the said respective Baronies and Half Baronies chargeable therewith as aforesaid, and the same shall be raised and levied off such Baronies or Half Baronies accordingly as if the same had been so presented, and the said Treasurer shall pay over the Amounts when by him received as herein-

hercin-before provided as if such Money had been presented by such Grand Jury.

Condition of Bonds by Collectors of Grand Jury Cess.

LI. That the Condition of every Bond of a Collector of Grand Jury Cess within the said County of *Clare*, to be hereafter given or executed by way of Security for duly collecting and paying Public Money, shall contain a Condition for his duly collecting and paying to the said Treasurer of the said County on or before such next succeeding Assizes all such Money as he shall from Time to Time be authorized to levy under this Act, and such Bond shall be subject to all Provisions now applicable to Bonds given or executed by Collectors of Grand Jury Cess.

Remuneration to Collector to be presented by Grand Jury.

LII. That the Grand Jury of the said County of *Clare* shall also present such Sum of Money to be levied off any such Barony or Half Barony as aforesaid to be paid to any such Collector as aforesaid for his Remuneration in the Collection of such Assessment as is payable in the Case of the Collection of Grand Jury Cess.

In a certain Event the Baronies to be recompensed out of the Profits of the Undertaking.

LIII. That if at any Time before the Expiration of Twenty-three Years from the passing of this Act it shall appear to the said Auditor or Auditors that the net Profits of the Company in any Year ending on the Thirty-first Day of *December*, within Five Years from any Period at which any such Payment as aforesaid shall have been made, shall have amounted to such a Sum as to leave a Surplus, after deducting a Sum sufficient to pay the Interest for that Year upon the then existing Mortgage or Bond Debt of the Company, and also after deducting a Sum sufficient for paying to the Shareholders a Dividend at the Rate of Four Pounds *per Centum per Annum* on the then paid-up Capital of the Company, the said Auditor or Auditors shall and he or they is or are hereby required forthwith to certify such Fact by Writing under his or their Hand or Hands, stating the Amount of any such Surplus, to the Treasurer for the Time being of the said County of *Clare*, and thereupon the said Treasurer shall be entitled to receive from the Company the said Surplus to an Extent not exceeding the aggregate Amount of Payments made by the said Baronies or Half Baronies in such County since the passing of this Act; and if any Payment shall have been made under the Provisions of this Act by the said Baronies or Half Baronies during the said Period of Twenty-three Years (but not otherwise), then after the Expiration of the said Period of Twenty-three Years, whenever it shall appear to the said Auditor or Auditors that the net Profits of the Company in any Year ending on the Thirty-first Day of *December* shall have amounted to such a Sum as to leave a Surplus, after deducting Four thousand Pounds for the Use of the Company, the said Auditor or Auditors shall and he or they is or are hereby required

to

to certify such last-mentioned Fact by Writing under his or their Hand or Hands to the Treasurer for the Time being of the said County of *Clare*, and thereupon the said Treasurer shall be entitled to receive from the Company such Surplus to an Extent not exceeding the Sum of Three hundred Pounds as a Rentcharge upon the Undertaking of the Company; and the said Treasurer shall apply the Sums so received by him in aid of the County Cess upon the Baronies or Half Baronies within the said County which shall have made such Payments, in such Proportion as the aggregate Amount which shall have been paid during the aforesaid Period by each Barony or Half Barony shall bear to the aggregate Amount which shall have been made during the same Period by the said Baronies or Half Baronies.

Treasurer to be entitled to receive from the Company the Amount mentioned in the Auditors Certificate.

LIV. That the Treasurer of the County of *Clare*, to whom a Certificate by the Auditor or Auditors shall have been given by virtue of the last preceding Enactment, shall be entitled, on Demand, to receive from the Company the Amount mentioned in such Certificate, and in default of Payment on Demand, to recover the same, with full Costs of Suit, by Action of Debt or on the Case in any Court of competent Jurisdiction; and in any such Action the Treasurer for the Time being of the said County shall be the nominal Plaintiff, and, as such, entitled to sue on behalf of the said County; and no Proceeding shall abate or be discontinued by reason of the Death, Removal, or Resignation of any such Treasurer, but shall continue and proceed in the Name of any Treasurer from Time to Time appointed in the Stead of any such Treasurer, who may die, be removed from or resign his Office, upon entering a Suggestion for that Purpose, by Leave of the Court in which any such Proceeding may be pending.

No Payment to be made by the Baronies after the Expiration of 23 Years from the passing of this Act.

LV. That after the Expiration of Twenty-three Years from the passing of this Act no further Payment to the Company shall be made by the said Baronies or Half Baronies, or any of them, and from and after the Expiration of that Period all the Powers of this Act which relate to the said Baronies and Half Baronies, and the Payments to be made by and the Rates to be levied upon the said Baronies and Half Baronies, shall for ever cease and determine.

Interest or Dividend not to be paid out of Calls.

LVI. That the Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him 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 Amount of Calls actually made as shall be in conformity with the Provisions in the "Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposits for future Bills not to be paid out of the Company's Capital.

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

Railway to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

LVIII. Whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed 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 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 another Act was passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of such several Acts respectively, but such Provisions shall be in force in respect of the said Railway and the said Company so far as the same are applicable thereto.

Railways, &c. not exempt from Provisions of future General Acts.

LIX. That nothing herein contained shall be deemed or construed to exempt the said Company or the Railways by this Act or the said recited Act authorized to be made 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

of the maximum Rates of Fares and Charges authorized by this or the recited Acts.

LX. That the Expenses, Costs, and Charges of preparing and passing this Act and incidental thereto shall be paid by the said Company. Expenses of Act.

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