ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

Cap. lvi.

An Act to enable the *Limerick and Ennis* Railway Company to maintain their Railway across certain Roads on a Level; and to enable the Company to purchase certain Lands for the Purposes of their Undertaking; and to amend the Provisions of the Acts relating to the said Company with respect to General Meetings; and for other Purposes. [25th *May* 1860.]

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 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*, with a Branch to join the *Great Southern and Western* Railway near *Limerick*: 9 & 10 Vict. c. cxcv.

16 & 17 Vict. c. xcvi.

And whereas by "The *Limerick and Ennis* Railway Act, 1853," the Name of the said Company was changed, and such Company is now called "The *Limerick and Ennis* Railway Company," and under the Provisions of the same Act the Company were authorized and required to abandon the Formation of the said Branch Railways to the Town of *Killaloe* and to the *Great Southern and Western* Railway near the City of *Limerick*, by the first-recited Act authorized to be made: And whereas by "The *Limerick and Ennis* Railway Act, 1853," the Capital of the Company was reduced: And whereas the Railway which the Company were authorized to make under the said Act of 1853 has been completed and opened for public Traffic: And whereas the said Railway has been constructed on a Level across the public Roads herein-after mentioned: And whereas the said Railway has been permitted by the Board of Trade to be opened for public Traffic on condition that the Company should in the present Session apply for and endeavour to obtain an Act to legalize the Maintenance of the said Railway across the said Roads on a Level: And whereas the Road numbered 9, as herein-after mentioned, is an Occupation Road only, and not repaired by the County; and the Road numbered 11, as herein-after mentioned, is an Occupation Road only, and not repaired by the County; and the Road numbered 3, as herein-after mentioned, is only used as a Road to a Bog; and the Road numbered 20, as herein-after mentioned, has been rendered unnecessary in consequence of another Road having been made by the Company parallel with the same; and the Road numbered 12, as herein-after mentioned, cannot be carried over or under the Railway excepting by means of a Bridge with Gradients of One in Six, and the level Crossing of such Road was supported by a Memorial from the Inhabitants of the District in which such Road is situate; and it is expedient that the Company should be enabled to maintain the said Railway across the said Roads on a Level, under such Regulations as are herein-after mentioned, and subject to a Power vested in the Board of Trade, if it shall at any Time hereafter appear to them to be necessary for the Public Safety, to require the said Company to carry the said Roads, or any One or more of them, either under or over the said Railway by means of a Bridge or Arch: And whereas the Powers of the Company for the compulsory Purchase of Lands have expired, and it is expedient to enable the Company to purchase and take, for the Purposes of Stations connected with their Undertaking, the Lands shown on the Plans herein-after mentioned, or some of them: And whereas it is expedient to alter and reduce the Number of Shareholders now necessary in order

to

to constitute a General Meeting of the Company, and to alter the Periods at which the ordinary half-yearly General Meetings of the Company are now required to be held: And whereas the Objects and 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 the Authority of the same (as follows):

Short Title.

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

8 & 9 Vict. cc. 18. & 20. and 14 & 15 Vict. c. 70., &c., incorporated.

II. "The Railways Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Railways Act (*Ireland*), 1851," and the Act of the Twenty-first and Twenty-second of *Victoria*, Chapter Thirty-four, intituled *An Act to continue the Railways Act* (Ireland), 1851, shall be incorporated with and form Part of this Act.

"The Company."

III. In this Act the Expression "the Company" shall mean "The *Limerick and Ennis* Railway Company."

Power to maintain Railway across Roads on a Level.

IV. Subject to the Provisions of this Act, the Company may maintain the *Limerick and Ennis* Railway with a Single Line of Railway (so long as the Railway shall be a Single Line), or if the Railway shall at any Time be made a Double Line, then with any Number of Lines of Railway not exceeding Two, across the Roads numbered as hereinafter mentioned on the Plans referred to in "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846;" (that is to say,)

Number of Road on Plans referred to in the Limerick, Ennis, and Killaloe Junction Railway Act, 1846.	Parish.	Townland.	Description of Road.
9	St. Munchins	Gortegurraun	Public Road.
11	Killeely	Meelick and Punchbowl	Public Road.
3	Tomfinlough	Ballycar	Public Road.
20	Tomfinlough	Ballycar	Public Road.
12	Quin	Carrowmeer and Ballyhannon South.	Public Road.

V. Pro-

Trains not to be shunted across Roads on a Level.

V. Provided always, That it shall not be lawful for the Company in shunting any Train to or from any Siding near to any such level Crossing to pass any such Train over any such level Crossing, or to allow any Train to stand across any such level Crossing.

Station or Lodge to be erected at Points of Crossing.

VI. 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, and also the Road numbered on the said Plans 10 in the Townland of *Cratloekeel* in the Parish of *Killeely* 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 Bridge in lieu of level Crossings.

VII. It shall be lawful for the Board of Trade, if it shall appear to them necessary for the Public Safety, at any Time hereafter to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry the said Roads or any of them either over or under the said 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 any such level Crossing; but where any such Road shall be so carried under or over the Railways, 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.

Power to purchase Lands.

VIII. Whereas Plans showing the Lands required by the Company for the Purposes of their Undertaking (which Lands are situate in the Townland

Townland of *Spitalland* in the Parish of *Saint Laurence*, and in the Townland of *Singland* in the Parish of *Saint Patrick*, all in the County of *Limerick*, and in the Townland of *Gortegurraun* in the Parish of *Saint Munchin*, in the Townland of *Woodcockhill* in the Parish of *Killeely*, in the Townland of *Cratloekeel* in the Parish of *Killeely*, in the Townland of *Ballycar* in the Parish of *Tomfinlough*, and in the Townlands of *Derreen*, *Manusmore*, *Killow*, and *Knockanamana*, in the Parish of *Clare Abbey*, all in the County of *Clare*), and Books of Reference to such Plans, were, on or shortly before the Thirtieth Day of *November* in the Year One thousand eight hundred and fifty-nine, deposited with the respective Clerks of the Peace for the Counties of *Limerick* and *Clare*: Therefore, subject to the Provisions in this and the incorporated Acts contained, the Company may enter upon, take, and use all or any of the Lands in the Townlands herein-before mentioned delineated and numbered upon such Plans and described in such Books of Reference.

Powers for compulsory Purchases limited.

IX. The Powers by this Act granted to the Company for the compulsory Purchase of Lands shall not be exercised after the Expiration of One Year from the passing of this Act.

Time for holding half-yearly Meetings, and Quorum for General Meetings.

X. Notwithstanding anything to the contrary in "The *Limerick, Ennis, and Killaloe Junction* Railway Act, 1846," contained, the ordinary half-yearly General Meetings of the Company shall from and after the passing of this Act be held in the Months of *March* and *September* in each Year; and the Quorum necessary to constitute a General Meeting of the Shareholders of the Company, whether ordinary or extraordinary, shall from and after the passing of this Act be Fifteen Shareholders holding in the aggregate not less than Twenty-five thousand Pounds in the Capital of the Company.

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

XI. Nothing in this Act contained shall be deemed or construed to exempt the Undertaking of the Company from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the Rates for small Parcels and the maximum Rates of Fares and Charges authorized to be taken by the Acts relating to the Company.

Expenses of Act.

XII. All the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the Company.

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