CHAP. cvii.

A.D. 1870.

An Act to extend the time for the completion of the Railway and Works of the Navan and Kings Court Railway Company, to enable that Company to enter into working and other agreements with certain Companies; and for other purposes. [4th July 1870.]

WHEREAS by "The Navan and Kings Court Railway Act, 1865," the Navan and Kings Court Company (in this Act called the Company) were incorporated, and authorised to make and maintain the railway and works therein mentioned and described, and the Dublin and Meath Railway Company (herein-after called the Dublin and Meath Company) were authorised to subscribe for and take and hold shares of the capital of the Company to the extent of forty thousand pounds, such shares to be taken upon such terms and conditions as might from time to time be agreed upon between the Company and the Dublin and Meath Company; and the Dublin and Meath Company were empowered to raise all or any part of the sum which they were thereby authorised to contribute to the capital of the Company by the creation and issue of new shares or new stock, whether ordinary or preferential, or both, of the capital of the Dublin and Meath Company: 28 & 29 Vict. c. cccl.

And whereas by "The Navan and Kings Court Railway (Deviations) Act, 1867," the Company were empowered to make the deviations in their authorised line of railway as therein mentioned: 30 & 31 Vict. c. cxlvi.

And whereas the Dublin and Meath Company in the exercise of the powers contained in the herein-before recited Act, and of the powers conferred by a scheme of arrangement between the said Dublin and Meath Company and their creditors recently sanctioned by the High Court of Chancery, have subscribed out of funds under their own control a portion of the said sum of forty thousand pounds towards the authorised capital of the Company, and have passed a resolution for raising under the provisions of the said first-

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recited Act the balance of the said sum by the creation of third preference stock, but a considerable portion of the money so resolved to be raised has not been raised:

And whereas it is expedient that the Dublin and Meath Company should be empowered to pay a further portion of the said sum of forty thousand pounds so authorised to be subscribed by them as aforesaid towards the capital of the Company by the issue to them of other authorised shares of the Dublin and Meath Company already created, but not yet issued, as herein-after mentioned, and also that the Dublin and Meath Company should be empowered to call in, cancel, and extinguish the said third preference shares so created as aforesaid, and in lieu thereof to transfer to the respective holders thereof an equal amount of shares issued by the Company in respect of the moneys raised by such third preference shares, or to procure from the Company direct shares in exchange for the same:

And whereas it is expedient that the Company and the several Companies herein-after mentioned should be authorised to enter into the working and other agreements herein-after referred to, and that the time authorised by "The Navan and Kings Court Railway Act, 1865," and by "The Navan and Kings Court Railway (Deviations) Act, 1867," for the completion of the railway and works thereby authorised should be extended as herein-after mentioned:

And whereas the objects 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 of the Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Navan and Kings Court Railway Act, 1870."

26 & 27 Vict. cc. 92. and 118. incorporated.

2. Part I. (relating to cancellation and surrender of shares) of "The Companies Clauses Act, 1863," and Part II. (relating to extension of time), and Part III. (relating to working agreements) of "The Railways Clauses Act, 1863," (save so far as any of the sections and provisions of those Acts respectively are by this Act expressly varied or excepted,) are incorporated with this Act.

Interpretation of terms.

3. The several words and expressions to which by the Acts in part incorporated with this Act meanings are assigned have in this Act the same respective meanings, unless there be in the subject

or context something repugnant to or inconsistent with such construction.

Power to enter into working agreements.

4. It shall be lawful for the Company on the one hand, and the Dublin and Meath and the Midland Great Western Railway of Ireland Companies, or both or either of those companies, on the other hand, from time to time to enter into and carry into effect contracts and agreements with respect to the working, use, management, and maintenance by those companies, or either of them, of the railways of the Company, or any part or parts thereof, or of any tramways which may be made to connect any town or towns with the railway of the company, and also for the supply of rolling stock and machinery, and as to the payments to be made and the conditions to be performed with respect to such working, use, management, and maintenance, and as to the interchange, accommodation, and conveyance of traffic coming from or destined for the respective undertakings of the respective companies, and the division and appropriation of the revenue arising from such traffic, and the contracting companies may appoint joint committees for carrying into effect any and every such agreement or agreements.

Tolls on traffic conveyed partly on the railway and partly on the railways of Dublin and Meath and Midland Great Western Railway of Ireland Companies.

5. During the continuance of any agreement to be entered into under the provisions of this Act for the use of the railway by the Dublin and Meath and the Midland Great Western Railway of Ireland Companies, or either of those companies, the railway of the company and of the said companies or company parties to such agreement shall for the purposes of tolls and charges be considered as one railway, and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway and partly on the railway of the said companies or company parties to such agreement for a less distance than four miles tolls and charges may only be charged as for four miles, and in respect of passengers for every mile or fraction of a mile beyond four miles tolls and charges as for one mile only, and in respect to animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond four miles tolls and charges as for a quarter of a mile only, and no other short distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railway and partly on the railways of the said companies or company, as the case may be, parties to such agreement.

Agreements to be under Railways Clauses Act, 1863.

6. Every such agreement shall be a working agreement within the meaning of Part III. (relating to working agreements) of "The Railways Clauses Act, 1863," incorporated with this Act.

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Dublin and Meath Company may apply unissued shares in payment of subscription to Company, and may cancel third preference shares.

7. It shall be lawful for "The Dublin and Meath Company" to apply in part discharge of their subscription towards the Company under the authority of the "Navan and Kings Court Railway Act, 1865," all or any part of shares which they are authorised by any of their Acts to create and issue, and which may be accepted by the Company for that purpose, at such price and upon such terms and conditions as may be agreed upon between the two companies, and, by agreement with the holders thereof, to call in and extinguish all or any of the above-mentioned third preference shares created for the purpose of such subscription, and transfer to the persons who may be willing to accept the same shares of an equal nominal amount in the Company in exchange for such third preference shares, or procure from the Company the issue to parties subscribing for such third preference shares new shares of equal nominal amount and value in lieu of or in exchange for such third preference shares respectively, or of any shares vested in the said Dublin and Meath Railway Company in respect thereof.

Extension of time for completion of railway.

8. The time and times limited by "The Navan and Kings Court Railway Act, 1865," and "The Navan and Kings Court Railway (Deviations) Act, 1867," for the completion of the railway and works thereby authorised, is hereby extended for the period of three years from the passing of this Act.

Undertaking not exempt from provisions of present and future general Acts.

9. Nothing herein contained shall be deemed or construed to exempt the railways by this or the former Acts authorised to be made from the provisions of any general Act relating to railways now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges authorised by this Act or the former Acts, and of the rates for small parcels.

Expenses of Act.

10. All the costs, charges, and expenses of applying for, obtaining, and passing this Act, or preparatory or incidental thereto, shall be paid and discharged by the Company.

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