



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cxxxvi.

An Act for making a Railway from the *Irish South-eastern* Railway at *Bagenalstown* to *Wexford*, to be called “*The Bagenalstown and Wexford Railway.*” [3d July 1854.]

WHEREAS the making of a Railway from the *Irish South-eastern* Railway, at or near the *Bagenalstown* Station thereof, to the Town of *Wexford*, would be of great public Advantage: And whereas the Persons herein-after named, with others, are willing, at their own Expense, to carry such Undertaking into execution, and it is expedient that the Arrangements herein-after mentioned with the *Irish South-eastern* Railway Company should be authorized; but the same 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; (that is to say,)

I. “The Companies Clauses Consolidation Act, 1845,” “The Lands Clauses Consolidation Act, 1845,” so far as the same is consistent
 [Local.] 25 C 8 & 9 Vict. cc. 16., 18., and 20., and

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14 & 15 Vict. c. 70. incorporated. consistent with 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.

Short Title. II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Bagenalstown and Wexford* Railway Act, 1854."

Subscribers incorporated. III. *John Edward Redmond* Esquire, *Sir James Dombrain* Knight, *Edward Grogan* Esquire, *John Alexander* Esquire, *Cadwallader Wilson* Esquire, *Henry Newton* Esquire, 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 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 *Bagenalstown and Wexford* Railway Company," and by that Name shall be a Body Corporate, with a 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. IV. And whereas the estimated Cost of making the said Railway is Two hundred and seventy thousand Pounds: Be it enacted, That, subject to the Powers of converting Loans into Capital in "The Companies Clauses Consolidation Act, 1845," contained, the Capital of the Company in Shares shall be Two hundred and seventy thousand Pounds; and all and every Part of the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

Shares. V. The Number of Shares into which the said Capital shall be so divided shall be Twenty-seven thousand, and the Amount of each Share shall be Ten Pounds.

Calls. VI. Two Pounds *per* Share shall be the greatest Amount of any Call which the Company may make on the Shareholders, and One Third of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share; and Two Months at the least shall be the Interval between successive Calls.

Power to borrow on Mortgage. VII. 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,

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for, and One Half thereof shall have been actually paid up, 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 Ninety 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 the Rates, Tolls, Profits, and Receipts accruing and hereafter 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 only in carrying into execution the Objects and Purposes of this Act.

VIII. The *Irish South-eastern* Railway Company may, with the Consent of Three Fifths of the Shareholders of the said Company assembled either in Person or by Proxy at any Special Meeting to be called for the Purpose, subscribe towards and become Shareholders in the said Undertaking to any Extent not exceeding Fifty thousand Pounds, and may pay the said Sum of Fifty thousand Pounds or any Part thereof by and out of any Monies which they have raised or are now authorized to raise by Shares or Mortgage under the Provisions of any Act or Acts relating to the said *Irish South-eastern* Railway Company, or may raise all or any Part of the Money so authorized to be subscribed by them by the Creation of new Shares in their Undertaking of such Amount as shall be determined at such Meeting; or it shall be lawful for the *Irish South-eastern* Railway Company, if they think fit, to raise the Sum to be subscribed by them as aforesaid, or any Portion thereof, by borrowing on Mortgage upon the Credit of their Undertaking: Provided always, that the same Company shall not by such Means increase the Amount which may be owing by them at any One Time on the Credit of their Undertaking beyond the Proportion of One Third of their then existing Capital in Shares, and that no Money shall be so borrowed by that Company until the whole of the Share Capital authorized by the several Acts relating to that Company has been subscribed, and One Half thereof paid up: Provided also, that it shall not be lawful for the *Irish South-eastern* Railway Company to attach any special Right or Privilege to any Shares which they may create under the Authority of this Act.

Power for the
Irish South-
eastern
Railway
Company to
subscribe
and hold
Shares.

IX. The *Irish South-eastern* Railway Company or the Directors of that Company may from Time to Time, so long as that Company

Irish South-
eastern
Railway

continue

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Company
may appoint
a Person to
vote at
Meetings.

continue Shareholders in the said Undertaking, appoint One or more Person or Persons (whether such Person or Persons shall hold Shares in the Company or not) to vote on behalf of the said *Irish South-eastern* Railway Company at any Meeting or Meetings of the Company, and may from Time to Time revoke any such Appointments and appoint another Person or Persons in that Behalf; and the Person or Persons so for the Time being appointed shall, during his or their Appointment, have the same Right of voting at any such Meeting as he or they would have if the Shares in the Undertaking for the Time being held by the *Irish South-eastern* Railway Company were held by such Person or Persons in his or their own Right: Provided always, that every such Appointment or Revocation shall be in Writing, and under the Seal of the *Irish South-eastern* Railway Company, or under the Hand of the Chairman for the Time being of the Directors of that Company.

Former
Mortgages
to have
Priority.

X. All Mortgages granted by the *Irish South-eastern* Railway Company before the passing of this Act, and which may be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgages created by that Company under the Authority of this Act.

Payment of
Arrears may
be enforced
by Appointment
of
Receiver.

XI. 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 Twenty thousand Pounds in the whole.

Interest not
to be paid on
Calls paid
up.

XII. 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 Dividends to any Shareholders on the Amount 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 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 on
future Bills
not to be
paid out of
Capital.

XIII. 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 Order 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 other Railway or execute any other Work or Undertaking.

XIV. The

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XIV. The First General Meeting shall be held in the Month of *September* next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *March* and *September*; and all Meetings, whether ordinary or extraordinary, of the Company or Directors, shall be held at *Dublin* or such convenient Place or Places as the Directors for the Time being shall appoint.

Meetings of the Company.

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

Quorum of Meetings of the Company.

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

Shareholders may convene Extraordinary Meetings.

XVII. The Scale according to which the Shareholders may vote at Meetings of the Company in respect of their Shares shall be as follows; (that is to say,)

Scale of voting at Meetings of the Company.

For every Share above Five Shares up to Fifty inclusive, One Vote :

For every Ten Shares beyond Fifty Shares, One Vote.

XVIII. The Number of Directors to be appointed at the General Meetings herein-after mentioned shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Number and Qualification of Directors.

XIX. *John Edward Redmond* Esquire, *Sir James Dombraim* Knight, *Edward Grogan* Esquire, *John Alexander* Esquire, *Cadwallader Wilson* Esquire, and *Henry Newton* Esquire shall be the First Directors of the Company.

First Directors.

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

Quorum of Directors.

XXI. 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 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.

Election of Directors at First General Meeting.

[Local.]

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XXII. At

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Subsequent
Election of
Directors.

XXII. At the First Ordinary General Meeting to be held in every subsequent Year after the First General Meeting, the Shareholders present personally 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."

Qualifica-
tion of
Auditors.

XXIII. Every Auditor appointed under this Act shall have at the least the same Number of Shares as are herein-before required to qualify for a Director.

Periods for
Balance of
Books.

XXIV. The Periods to which the Books of the Company shall be brought to balance shall be the Thirty-first Day of *December* and the Thirtieth Day of *June* in each Year.

Power to
make Rail-
way.

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

A Railway, to be called the *Bagenalstown and Wexford Railway*, commencing by a Junction with the *Irish South-eastern Railway*, at or near the *Bagenalstown Station* of that Railway, in the Parish of *Dunleckny* and County of *Carlow*, and to terminate at or near the Town of *Wexford* in the County of *Wexford*.

Railway to
be made ac-
cording to
deposited
Plans.

XXVI. Whereas Plans and Sections of the Railway, showing the Lines and Levels thereof, and also a Book of Reference thereto, 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 thereof, have been deposited with the Clerks of the Peace for the Counties of *Carlow* and *Wexford*: Be it enacted, That, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the 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 Levels defined on the said Sections; and, subject to the aforesaid Provisions, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

As to De-
posit of
Plans with
Clerks of
Unions.

XXVII. Whereas by "The Railways Clauses Consolidation Act, 185," 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

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the Lands affected thereby should 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 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 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 Postmaster: Be it therefore enacted, That, with reference to this Act, all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, and to the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or the Word "Postmaster," in the said Act, 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 Town in or nearest to such Parishes in *Ireland*," or in lieu of the Word "Postmaster," as the Case may be.

XXVIII. 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 across and on the Level of the several public Roads numbered on the Plan deposited as aforesaid as follows; (that is to say,)

Roads to be
crossed on
a Level.

The Road numbered 5 in the Townland of *Clanagh* in the Parish of *Saint Mullins* in the County of *Carlow*:

The Road numbered 29 in the Townland of *Bally-Galvert* in the Parish of *Clonleigh* in the County of *Wexford*:

The Road numbered 102 in the Townland of *Rathturtin* in the Parish of *Killegney* in the County of *Wexford*:

The Road numbered 51 in the Townland of *Ballybrennan* in the Parish of *Kilcowanmore* in the County of *Wexford*:

The Road numbered 35 in the Townland of *Kerreight* in the Parish of *Ballyhoge* in the County of *Wexford*.

XXIX. 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 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 or at all Times maintain any such Station or Lodge, or appoint a proper Person

Stations or
Lodges to be
erected at
Points of
crossing.

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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.

XXX. 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 to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry any of 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 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,

Lands for extraordinary Purposes.

XXXI. The Quantity of Land to be purchased by the Company for extraordinary Purposes shall not exceed Forty Acres.

Powers for compulsory Purchase of Lands limited.

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

Period for Completion of Railway.

XXXIII. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers of this Act granted to the Company for executing Railways or otherwise in relation thereto, shall cease to be exercised except as to so much of the Railways as shall then have been completed.

Company not to deviate within High-water Mark, or to construct Works without Consent of the Admiralty.

XXXIV. It shall not be lawful for the Company, where the Limits of Deviation extend within High-water Mark, to deviate Riverward or Seaward of the Black continuous centre Line of Way shown on the Parliamentary Plan, nor shall it be lawful for the Company or any Person whomsoever to construct in, under, over, through, or across any tidal or navigable Water or River any Work hereby or otherwise authorized to be made without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan

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Plan and under such Restrictions and Regulations as the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral may approve, such Approval being signified as last aforesaid; and where any such Deviation or Work, or any Work hereby requiring his or their Approval, shall have been made or constructed, it shall not be lawful for the Company or any Person 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 Deviation or Work shall be commenced, made, or completed, or be altered or extended, 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 or any such Person, and the Amount thereof shall be a Debt due from the Company or such Person to the Crown, and be recoverable accordingly with Costs of Suit.

XXXV. The Company shall not, under or by virtue of this Act, become entitled to any exclusive Right of Water Frontage by reason of the Railway or any Work being carried along the Shore or River Bank; but such Water Frontage shall be equally available by other Persons proposing and who may be legally entitled to construct Quays, Docks, and other Works for the Uses of Shipping and of Trade; but no Works whatsoever shall be constructed in, under, over, through, or across any tidal or navigable Water or River without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland* or the Commissioners for executing the Office of Lord High Admiral for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral may approve, such Approval being signified as last aforesaid.

Company not to become entitled, by virtue of this Act, to any exclusive Right of Water Frontage.

XXXVI. Where the Railway cuts off or will cut off Access to or from the Shore, the Company shall, during the Formation of the Line of Railway and from Time to Time thereafter, make and maintain such Crossings for Foot Passengers, Horses, Carts, Waggons, Carriages, and other Vehicles over or under the Railway as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, shall at any Time or Times deem necessary.

Crossings to be made and maintained by the Company where the Railway cuts off Access from the Shore.

XXXVII. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral to order a

Admiralty may order a local Survey at Expense of Company.

[Local.]

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local

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local Survey and Examination of any Works 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.

If Works abandoned or suffered to fall into Decay, Admiralty may remove same at Expense of Company.

XXXVIII. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect 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 Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company; and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit.

Power to demand Tolls on Articles of Merchandise.

XXXIX. 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,)

First, in respect of the Tonnage of all Articles conveyed upon the Railway or any Part, as follows:

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

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, 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, *per Ton per Mile* not exceeding One Penny Halfpenny, and if conveyed in Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Hides, Dye Woods, Earthenware, Timber, Staves and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Twopence; and if conveyed in Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding Three Farthings:

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For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or 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 Penny:

And for every Carriage, of whatsoever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per Mile* not exceeding Sixpence:

And a Sum of Twopence *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company an additional Sum *per Mile* not exceeding Twopence.

XL. In respect of Passengers and Animals conveyed in Carriages upon the Railway the Company may demand any Tolls for the Use of the Railways not exceeding the following; (that is to say,) For Passengers and Cattle.

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 Halfpenny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per Mile* not exceeding Threepence; and if conveyed in or upon any Carriage belonging to the Company an additional Sum *per Mile* not exceeding One Penny:

For every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon 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.

XLI. The Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per Mile* for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls by this Act authorized to be taken. For Propelling Power.

XLII. The maximum Rates of Charges to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and of Carriages, and for Locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums: Maximum Charges for Conveyance of Passengers.

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

For

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

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny *per* Mile.

Restriction
as to Charges
not to apply
to Special
Trains.

XLIII. The Restrictions as to Charges to be made for Passengers and Articles herein-before and herein-after mentioned shall not extend to any Special or Extra Trains 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 and Goods on the Railway.

Maximum
Charges for
Conveyance
of Goods and
Cattle.

XLIV. It shall not be lawful for the Company to charge in respect of the several Articles, Matters, and Things, and of the several Description of Animals herein-after mentioned, conveyed on the Railway, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for Locomotive Power, and all other Charges incidental to such Conveyance, (except a reasonable Charge for the Expenses of loading and unloading, where such Service is performed by the Company,) than the several Sums herein-after mentioned ; (that is to say,)

For all Dung, Compost, and all Sorts of Manure, Lime, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile One Penny Halfpenny :

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile Twopence :

For all Sugar, Grain, Corn, Flour, Hides, Dye Woods, Earthenware, Timber, Staves and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Threepence Farthing :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile Fivepence :

For every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile Sixpence :

For every Horse, Mule, or Ass conveyed in or upon any such Carriage, *per* Mile Fourpence :

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile Twopence :

And for every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile One Penny :

The

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

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles, the Company may demand Tolls and Charges as for Six Miles :

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandise 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 in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile :

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 :

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

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, and so in proportion for any smaller Quantity.

XLV. 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 the following ; (that is to say,) Tolls for small Parcels and Articles of great Weights.

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

For any Parcel not exceeding Seven Pounds in Weight, Fourpence :

For any Parcel exceeding Seven Pounds in Weight but not exceeding Fourteen Pounds in Weight, Sixpence :

For any Parcel exceeding Fourteen Pounds in Weight but not exceeding Twenty-eight Pounds in Weight, One Shilling and Sixpence :

And for any Parcel exceeding Twenty-eight Pounds in Weight, but not exceeding Fifty-six Pounds in Weight, Two Shillings :

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 single Piece of Machinery, or single Piece of Timber or Stone, or other single

[*Local.*]

25 *F*

Article,

The Bagenalstown and Wexford Railway Act, 1854.

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 Sixpence *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 to
make in-
creased
Charges by
Agreement.

XLVI. Nothing herein contained shall be held to 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.

Passengers'
Luggage.

XLVII. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds Weight for each First-class Passenger, One hundred Pounds in Weight for each Second-class Passenger, and Sixty Pounds in Weight for each Third-class Passenger, without any Charge being made for the Carriage thereof.

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.

XLVIII. 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 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 Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present 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 enacted, That nothing in this Act contained shall be held to exempt the Railway or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the Railway and Company so far as the same shall be applicable thereto.

XLIX. Nothing

The Bagenalstown and Wexford Railway Act, 1854.

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

Railway not
exempt from
Provisions
of future
General
Acts.

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

Expenses of
Act.

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