



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. xvii.

An Act to alter the borrowing Powers of the
Tralee and Killarney Railway Company.

[26th June 1857.]

WHEREAS by "The *Tralee and Killarney Railway Act* 16 & 17 Vict. c. clxxxix. 1853," a Company was incorporated for making a Railway from *Tralee* to *Killarney* in the County of *Kerry*, called the *Tralee and Killarney Railway Company*, and the said Company were authorized to raise One hundred and ten thousand Pounds by Shares, and Fifty-five thousand Pounds on Mortgage or Bond, for the Purposes of the said Act: And whereas by "The *Tralee and Killarney Railway Act, 1854*," certain Powers of the said first-mentioned Act were revived and some of the Provisions thereof repealed, and other Provisions enacted in lieu thereof: And whereas the said Railway is now in course of Construction, and it is expedient that greater Facilities should be afforded for raising the Capital required for the Construction and Completion thereof, and that some of the Provisions of the said Acts should be altered and amended; 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
[*Local.*] 3 H Commons,

The Tralee and Killarney Railway Act, 1857.

Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title. I. In citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression “The *Tralee and Killarney Railway Act, 1857.*”

“The Company.” II. In this Act the Expression “the Company” shall mean “the *Tralee and Killarney Railway Company.*”

Power to borrow before the whole Share Capital shall have been subscribed. III. It shall be lawful for the Company from Time to Time to borrow any Sum or Sums of Money not exceeding in the whole the Sum of Fifty-five thousand Pounds, which they are by the firstly-recited Act authorized to borrow on Mortgage or Bond in the following Manner; (that is to say,) to borrow the Sum of Twenty-five thousand Pounds when the Sum of Forty-five thousand Pounds of the Share Capital of the Company shall have been paid up and expended, and to borrow an additional Sum of Ten thousand Pounds when the Sum of Fifty-five thousand Pounds of such Share Capital shall have been paid up and expended, and to borrow an additional Sum of Twenty thousand Pounds when the Sum of Seventy-five thousand Pounds of such Share Capital shall have been paid up and expended, notwithstanding that the whole of the Capital of the Company shall not have been subscribed as required by the said firstly-recited Act; and all and every Part of the Monies so to be borrowed shall be applied exclusively on and for the Purposes authorized by this and the said firstly-recited Act.

Recited Acts to remain in force, as amended by this Act. IV. All the Provisions of the said recited Acts in force at the Time of the passing of this Act shall remain in full Force and Effect, as the same are amended by this Act.

Interest or Dividend not to be paid on Calls paid up. V. 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 VI. 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,

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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. Company's
Capital.

VII. This Act or anything therein shall not exempt the Railway from the Provisions of any General Act now in force, or which may hereafter pass during this or any future Session of Parliament, relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by the firstly-recited Act authorized, or of the Rates for small Parcels thereby authorized. Railway not
exempt from
Provisions of
present and
future Gene-
ral Acts.

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

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