



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. xxvii.

An Act to amend and extend the Provisions of
“The *Waterford and Tramore* Railway Act,
1851,” to revive and extend their Powers and
increase their Capital; and for other Purposes.

[3d July 1857.]

WHEREAS an Act was passed in the Fourteenth and Fifteenth
Years of the Reign of Her present Majesty, intituled *An* 14 & 15 Vict.
c. cxii.
Act for making a Railway from Waterford to Tramore,
the Short Title of which is “The *Waterford and Tramore* Railway
Act, 1851:” And whereas the said Railway has been made, and has
been for some Time open for Traffic, and it is expedient that the
Waterford and Tramore Railway Company should be empowered to
carry a certain Road by a Bridge over their Railway in substitution
for a level Crossing, and to purchase Lands and Houses for the
Extension and Improvement of the Terminus at *Waterford*: And
whereas Plans and Sections of the proposed Works, and also Books of
Reference to the Plans containing the Names of the Owners or
reputed Owners, Lessees or reputed Lessees, and of the Occupiers of
[*Local.*] 4 H the

The Waterford and Tramore Railway Amendment Act, 1857.

the Lands upon or through which the Works will be made, were deposited in the Month of *November* last with the Clerks of the Peace for the County of *Waterford* and for the County of the City of *Waterford*: And whereas it is expedient that the Company should be authorized to raise further Capital: And whereas it is expedient to amend, extend, and revive some of the Provisions of the said Act; but the several 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:

8 & 9 Vict.
cc. 16., 18.,
& 20., and
14 & 15 Vict.
c. 70. incor-
porated.

I. That "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," so far as the same is consistent with "The Railways Act (*Ireland*), 1851," "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*), 1851," so far as the same are not expressly varied or excepted by this Act, shall be incorporated with and form Part of this Act.

Short Title.

II. This Act may be cited for all Purposes as "The *Waterford and Tramore* Railway Amendment Act, 1857."

Power to
make Works
according to
deposited
Plans.

III. And whereas Plans and Sections of the proposed Works, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands and Houses through which the same are intended to be made, have been deposited with the Clerk of the Peace for the County of *Waterford*, and with the Clerk of the Peace for the County of the City of *Waterford*: Be it enacted, That, subject to the Provisions in this and the said recited Act contained, it shall be lawful for the said *Waterford and Tramore* Railway Company (herein-after called the Company) to make and maintain the said Works upon the Lands delineated on the said Plans and described in the said Book of Reference, save and except the Extension Railway to the Strand delineated thereon, and to enter upon, take, and use such of the said Lands as may be necessary for such Purpose, and also to enter upon, take, and use such Lands and Houses situate and being at or near the Company's Terminus at *Waterford* in the Townland of *Manor* in the Parishes of *Saint John's Without* and *Saint John's Within*, both in the City of *Waterford*, as may be necessary, and which said Lands and Houses are respectively described on the said Plans and in the said Books of Reference.

IV. Subject

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IV. Subject to the Provisions of this Act and of the Acts incorporated herewith, it shall be lawful for the Company to alter, stop up, and divert a certain Farm Road which crosses the Railway on the Level at or near a Point on the said Main Line, situate and being Six Miles and Five hundred Feet, or thereabouts, from the said Terminus at *Waterford*, as shown on the Plans herein-before mentioned, and to substitute in lieu thereof a Bridge over the Railway at or near a Point on the said Main Line situate and being Six Miles and One hundred and twenty Feet from the said Terminus at *Waterford*.

Alteration
of a level
Crossing.

V. 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 One Year from the passing of this Act.

Powers for
compulsory
Purchases
limited.

VI. The Works shall be completed within Two Years from the passing of this Act, and on the Expiration of such Period the Powers by this and the recited Act granted to the Company for executing and completing the Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall be then completed.

Period for
Completion
of Works.

VII. It shall be lawful for the Company to raise, by the Creation of new Shares in their Undertaking of the nominal Value of Ten Pounds each, any Sum or Sums not exceeding in the whole the Sum of Ten thousand Pounds.

Power to
raise addi-
tional Capi-
tal by new
Shares.

VIII. It shall be lawful for the Company, with the Assent of Three Fifths of the Votes of any Ordinary or Extraordinary Meeting at which any such new Shares shall be created, to guarantee the Payment on all or any Part of the Shares then so created of Preference Dividends, at and after any Rate not exceeding the Rate of Five Pounds *per Centum per Annum*, upon such Terms and subject to such Conditions as shall be by the Resolution of such Meeting determined.

The Com-
pany may
guarantee
Dividend on
Shares.

IX. All new Shares created under the Powers of this Act, and upon which any guaranteed or preferential Dividend shall be payable, shall be distinguished and registered, and are in this Act referred to as "*Waterford and Tramore Preference Shares*."

Name of
such Shares.

X. The Certificates issued by the Company of any preferential Shares shall be marked with the Name in this Act given to the Shares

Certificates
to be marked.

to

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to which the same refer, and the Rate of the preferential Dividend payable on such Shares, and any Conditions specially attached thereto, shall also be marked and stated on such Certificate.

Disposal of
new Shares.

XI. All new Shares created under the Powers of this Act may be disposed of to such Persons and in such Manner as the Meeting creating the same shall direct, and the Qualifications and Rights of voting in respect to such new Shares shall be determined at such Meeting.

Power to
borrow
Money.

XII. It shall be lawful for the Company at any Time, or from Time to Time, to borrow, after the whole of the additional Capital shall have been subscribed for and One Half thereof paid up, in addition to the Sum authorized by the recited Act, any Sum or Sums of Money not exceeding in the whole the Sum of Three thousand three hundred and fifty Pounds; 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 recited Act.

Power to
purchase
certain
Shares.

XIII. Whereas the *Cork and Waterford* Railway Company are Holders of Shares in the Capital of the Company to the Extent of Two thousand Pounds: Be it enacted, That it shall be lawful for the Company to purchase, and for the *Cork and Waterford* Railway Company to sell, such Shares upon such Terms as may be mutually agreed upon.

Tolls for
small
Parcels.

XIV. With respect to small Packages, notwithstanding the Rate of Tolls authorized by the recited Act, the Company may lawfully demand for or in respect of the Carriage of such small Parcels on the Railway authorized by the recited Act the Tolls following; that is to say,

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

For any Parcel not exceeding Seven Pounds in Weight, Three-pence:

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

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

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

For

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For any Parcel exceeding Fifty-six Pounds, and not exceeding Five hundred Pounds in Weight, any Sum the Company may think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up as separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Articles in separate Packages.

XV. 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.

Interest or Dividend not to be paid on Calls paid up.

XVI. 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.

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

XVII. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

As to Validity of Subscription Contract.

XVIII. Nothing herein contained shall be deemed or construed to exempt the Company or Railway 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 this or any other future Session of Parliament, or from any future Revisions and Alterations, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act, and of the Rates for small Parcels.

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

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Expenses of
Act.

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

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