



ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. clx.

An Act to authorize the Construction of a Railway from the *Midland Great Western Railway of Ireland* to the Town of *Ballaghaderreen*; and for other Purposes. [13th July 1863.]

WHEREAS the Construction of a Railway from the *Sligo Extension Line* of the *Midland Great Western Railway of Ireland Company* in the Townland of *Cloontycarn* in the Parish of *Kilfree* in the County of *Sligo* to the Town of *Ballaghaderreen* in the Townland of *Ballaghaderreen* in the Parish of *Kilcolman* in the County of *Mayo* would be of great public and local Advantage: And whereas the Persons herein-after named, together with others, are willing at their own Expense to construct such Railway if authorized so to do, and it is expedient that they should be incorporated with the necessary Powers for that Purpose: And whereas it is expedient that the Company so to be incorporated (in this Act called "the Company") and the *Midland Great Western Railway of Ireland Company* should be authorized to make and carry out working and other Arrangements as herein-after provided: 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
[Local.] 27 I Majesty,

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

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; (that is to say,)

Short Title. **1.** This Act may be cited for any Purpose as “*The Sligo and Ballaghaderreen Junction Railway Act, 1863.*”

8 & 9 Vict. cc. 16. 18. & 20. and 23 & 24 Vict. c. 106. incorporated. **2.** “The Companies Clauses Consolidation Act, 1845,” so much of “The Lands Clauses Consolidation Act, 1845,” as is not inconsistent with or altered by “The Railways Act (*Ireland*), 1851,” “The Lands Clauses Consolidation Acts Amendment Act, 1860,” “The Railways Clauses Consolidation Act, 1845,” “The Railways Act (*Ireland*), 1851,” and “The Railways Act (*Ireland*), 1860,” shall, so far as the Provisions of the same respectively are applicable to the Purposes of and not expressly varied by or inconsistent with this Act, be incorporated with and form Part of this Act.

Same Meaning to Words, &c. in incorporated Acts as in this Act. **3.** The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned shall have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction, and the Expression “Superior Courts,” or “Court of competent Jurisdiction,” or any other like Expression in this Act, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Subscribers incorporated. **4.** The Right Honourable *John Wynne*, the Viscount *Dillon*, *Thomas H. Williams*, *Charles Strickland*, *Thomas Strickland*, *James O'Connor*, *Henry Lyons*, 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 Sligo and Ballaghaderreen Junction Railway Company*,” and by that Name shall be a Body Corporate, with 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 incorporated Acts contained.

Capital. **5.** The Capital of the Company shall be Forty thousand Pounds in Four thousand Shares of Ten Pounds each.

6. Two

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

6. Two Pounds *per* Share shall be the greatest Amount of a Call, and Two Months at the least shall be the Interval between successive Calls, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any One Year upon any Share.

Calls.

7. The Company shall not, out of any Money by this Act 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 Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: 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 not to be paid on Calls paid up.

8. The Company shall not, out of any Money by this Act authorized to be raised for the Purposes of this Act, 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 to authorize the Company to construct any Railway, or to execute any other Work or Undertaking.

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

9. The Company from Time to Time may borrow on Mortgage any Sums not exceeding in the whole Thirteen thousand three hundred Pounds, but no Part thereof shall be borrowed until the whole of the Capital of Forty thousand Pounds is subscribed for or taken, and One Half thereof is paid up, and the Company shall prove to the Justice who is to certify under the Provisions contained in the 40th Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such Capital has been subscribed for or taken *bonâ fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

Power to borrow on Mortgage.

10. The Mortgagees of the Company may 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 One thousand five hundred Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

11. All and every Part of the Money raised under this Act, whether by Shares or by borrowing, shall be applied only for Purposes authorized by this Act.

Application of Monies raised under Act.

12. The First General Meeting of the Shareholders shall be held within Six Months after the passing of this Act, and the Quorum for any General Meeting shall be Ten Shareholders present, personally or by proxy, holding

General Meetings.

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

holding in the aggregate not less than One Eighth of the Capital of the Company.

Number and Qualifications of Directors.

13. The Number of Directors shall not be more than Seven nor less than Five, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

First Directors.

14. The Right Honourable *John Wynne*, the Viscount *Dillon*, *Thomas H. Williams*, *Charles Strickland*, *Thomas Strickland*, *James O'Connor*, *Henry Lyons*, shall be the First Directors of the Company.

Election of Directors at First Ordinary Meeting.

15. At the First Ordinary Meeting of the Company the Shareholders present, personally or by proxy, may continue in Office the First Directors, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the First Directors appointed as aforesaid being eligible to be elected as Members of such new Body.

Subsequent Election of Directors.

16. At the First Ordinary General Meeting of the Company to be held in every subsequent Year 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;" 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."

Quorum of Directors.

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

Power to make Railways according to deposited Plans.

18. Whereas Plans and Sections of the Railway showing the Line and Levels thereof, and also a Book of Reference to such Plans 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 Clerk of the Peace for the Counties of *Sligo* and *Mayo* respectively: Therefore, subject to the Provisions and Powers of Deviation in this Act and "The Railways Clauses Consolidation Act, 1845," contained, the Company may make and maintain the Railway herein-after described in the Line and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections, and may enter upon, take, and use such of the same Lands as shall be necessary for the Purposes of such Railway, and the Stations, Approaches, Works, and Conveniences connected therewith.

Description of Railway.

19. The Company are by this Act authorized to make and maintain a Railway (with all proper Stations, Approaches, Works, and Conveniences connected therewith) commencing by a Junction with the *Sligo* Extension
Line

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

Line of the *Midland Great Western Railway of Ireland* Company in the Townland of *Cloontycarn* in the Parish of *Kilfree* in the County of *Sligo*, and terminating near the Town of *Ballaghaderreen* in the Townland of *Ballaghaderreen* in the Parish of *Kilcolman* in the County of *Mayo*.

20. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company in the Construction of the Railway may deviate from the Line of any Arches, Tunnels, or Viaducts described in the deposited Plans or Sections, so as the Deviations be made within the Limits of Deviation shown on the Plans, and subject to the Limitations contained in the 11th, 12th, and 15th Sections of that Act, and so as the Nature of the Work as described be not altered, and they may substitute any other Engineering Work not shown on those Plans or Sections instead of a Viaduct, Arches, or Tunnel as shown thereon, provided that every such Substitution be authorized by a Certificate of the Board of Trade; and the said Board is hereby empowered to grant such Certificates, provided it shall appear to the Board upon due Inquiry that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Land in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby: Provided that nothing herein contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the 11th, 12th, 14th, or 15th Sections of "The Railways Clauses Consolidation Act, 1845."

Power to alter Engineering Works.

21. Whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that a Certificate of any Omission, 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 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 Postmasters: Therefore, with reference to this Act, all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, shall be read and construed as if the Expression "Clerks of the Unions within which such Parishes are included in *Ireland*," or the Words "Clerks of the Unions," had been used and inserted in the said Act in lieu of the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or in lieu of the Word "Postmasters," as the Case may be.

Deposit of Plans with the Clerks of Unions.

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

Roads to be
crossed on
the Level.

22. Subject to the Provisions in this Act and "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company in the Construction of the Railway to carry the same with Two Lines of Railway across and on the Level of the Public Roads numbered on the aforesaid Plans as follows; (that is to say,)

No. on Plan.	Townland.	Parish.
71	Tawnymucklagh - -	Kilcolman.
52	Creggan - - -	Kilcolman.

As to shunt-
ing of
Trains.

23. It shall not be lawful for the Company in shunting Trains to pass any Train over such level Crossings, or to allow any Train, Engine, Carriage, or Truck to stand across the same; provided that until the Railway shall be made a double Line the said Roads shall not be crossed with more than a single Line of Railway.

Station or
Lodge to be
erected at
Points of
Crossing.

24. 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 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 Lodge 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 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
instead of
level Cross-
ings.

25. 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, either before or after the Railway shall have been completed and opened for Traffic, to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry the before-mentioned 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 Crossings; but when such Roads shall be so carried over or under the Railway, it shall not be necessary for the Company to erect or maintain any Station or Lodge at the Points where such Roads 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.

26. The

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

26. The Communication between the Railway hereby authorized and the *Midland Great Western Railway of Ireland* shall be made and maintained in a substantial and workmanlike Manner by means of Connection Rails and Points at the sole Expense of the Company, and to the reasonable Satisfaction of the Engineer for the Time being of the *Midland Great Western Railway of Ireland Company*; and in case of any Difference between that Engineer and the Engineer of the Company as to such Communication the same shall be determined by a Referee to be appointed by the Board of Trade.

Junction with the Midland Great Western Railway.

27. The *Midland Great Western Railway of Ireland Company* shall from Time to Time erect on their own Land or on the Land of the Company such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Switchmen, or other Persons, as may be necessary for the Prevention of Danger or Obstruction to or Interference with Traffic at and near the Point of Junction between the Railway and the *Midland Great Western Railway of Ireland*; and the working and Management of such Signals, Works, and Conveniences shall be under the exclusive Management and Regulation of the *Midland Great Western Railway of Ireland Company*; and the Costs and Expenses of erecting and maintaining such Signals, Works, and Conveniences, and the Wages of such Watchmen, Switchmen, and other Persons, shall at the End of every Half Year be repaid by the Company to the *Midland Great Western Railway of Ireland Company*, and in default of such Repayment the Amount of such Costs, Expenses, and Wages may be recovered from the Company by the *Midland Great Western Railway of Ireland Company* in any Court of competent Jurisdiction.

Provision for Watchmen, Signals, &c.

28. Nothing in this Act or in the Acts incorporated therewith contained shall authorize the Company to take or enter upon any of the Lands belonging to the *Midland Great Western Railway of Ireland Company*, or to alter, vary, or interfere with the *Midland Great Western Railway of Ireland*, or any of the Works thereof, further or otherwise than is necessary for the convenient Junction and Intercommunication between that Railway and the Railway hereby authorized.

Interference with Midland Great Western Railway.

29. The Quantity of Land near or adjoining the Railway which the Company may purchase by Agreement for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Two Acres.

Lands for extraordinary Purposes.

30. 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 Two Years after the passing of this Act.

Powers for compulsory Purchases limited.

31. The Railways shall be completed within Five Years from the passing of this Act, and upon the Expiration of that Period the Powers

Period for Completion of Railways by limited.

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

by this Act granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Security for
Completion
of Railway
within Time
limited.

32. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Three thousand two hundred Pounds, being Eight *per Centum* upon Forty thousand Pounds, the estimated Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in *Ireland* in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum of Three thousand two hundred Pounds so deposited as aforesaid, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall previously to the Expiration of the Period limited by this Act for Completion of the Railways hereby authorized to be made either open the said Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Three thousand two hundred Pounds shall have been executed by the Company, with One or more Surety or Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Three thousand two hundred Pounds if the Company shall not, within the Time limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

Committee that they have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

33. The Company may demand and take any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

I. In respect of the Tonnage of all Articles conveyed upon the Railway, or any Part thereof, as follows:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Dung, Compost, and all Sorts of Manure, Lime and Limestone, Oarweed, 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 Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Copper Ore, Tin Ore, Manganese, and all other Ores and Minerals, 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, Dyewoods, Earthenware, Timber and Deals, Copper, Tin, Lead, and other Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Twopence; and if conveyed in Carriages belonging to the Company an additional Sum *per Ton per Mile* not exceeding Three Farthings:

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

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27 L

Ton

Tolls.

Tonnage on
Articles of
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The Sligo and Ballagherreen Junction Railway Act, 1863.

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 whatever Description, 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 further Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh :

Tolls for
Passengers
and Cattle.

II. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows :

For any 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 :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *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 Ox, Cow, Bull, or Head of Neat Cattle, *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 :

For every Calf, Pig, Sheep, Lamb, or other small Animal, *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.

Tolls for
propelling
Power.

34. The Company may demand for the Use of Engines for propelling Carriages on the Railway any Sum not exceeding 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 or Sums by this Act authorized to be taken.

Maximum
Rates of
Charge for
Passengers.

35. The maximum Rate of Charge 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 :

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

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 Halfpenny *per* Mile.

36. The

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

36. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals and Goods on the Railway, including the Tolls for the Use of the Railway, and Waggons or Trucks and locomotive Power, and every Expense incidental to such Conveyance, (except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are performed by the Company,) shall not exceed the following Sums; (that is to say,) For Cattle,
Goods, &c.

For every Horse or other Beast of Draught or Burden, the Sum of Fourpence *per* Mile :

For every Ox, Cow, Bull, or Head of Neat Cattle, the Sum of Three-pence *per* Mile :

For every Calf or Pig or other small Animal before classed therewith, One Penny *per* Mile :

For every Carriage, the Sum of Sixpence *per* Mile :

For Coals and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile :

For Stone, Ores, Minerals, and other Articles herein-before classed therewith, the Sum of Twopence *per* Ton *per* Mile :

For Sugar and other Articles herein-before classed therewith, the Sum of Threepence *per* Ton *per* Mile :

For Cotton and other Goods and Articles herein-before classed therewith, the Sum of Fourpence *per* Ton *per* Mile :

Provided always, that no Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railway which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

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

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

For a Fraction of a Mile beyond Four Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges as for One Mile for Passengers and for a Quarter of a Mile for Animals, Minerals, and Goods, and every Fraction of a Quarter of a Mile 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 Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

With

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

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.

Tolls for
small Parcels
and single
Articles of
great
Weight.

38. And with respect to the Carriage of small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand and take the Tolls following; (that is to say,)

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

For any Parcel not exceeding Fourteen Pounds in Weight, Fivepence :

For any Parcel not exceeding Twenty-eight Pounds in Weight, Sevenpence :

For any Parcel not exceeding Fifty-six Pounds in Weight, Ninepence :

And for Parcels exceeding Fifty-six Pounds in Weight, and not exceeding Five hundred Pounds Weight each, the Company may demand any Sum which they think fit :

Provided always, that Parcels 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 any One Boiler, Cylinder, Bob, or single Piece of Machinery, or single Piece of Timber or Stone, or other single 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 any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which with the Carriage shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Company
may take
increased
Charges by
Agreement.

39. Provided further, That 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 Person in charge of such Goods, either in respect of the Conveyance thereof (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Restriction
as to Charges
not to apply
to Special
Trains.

40. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special Train that may be required upon the Railways, 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 upon the Railways.

Passengers
Luggage.

41. Every Passenger travelling upon the Railways may take with him at his own Risk his ordinary Luggage, not exceeding One hundred
and

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

and twenty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

42. The Company and the *Midland Great Western Railway of Ireland* Company may from Time to Time enter into and carry into effect Contracts and Agreements with respect to the following Purposes, or any of them ; (that is to say,) Working Agreement with Midland Railway Company.

The Maintenance, Use, Working, and Management by the *Midland Great Western Railway of Ireland* Company of all or any Part of the Railway of the Company, the Supply of Rolling Stock, Plant, and locomotive Power, and of Officers and Servants for the Conveyance and Conduct of the Traffic on the Railway :

The Payments to be made and the Conditions to be performed with respect to such Working, Use, Management, and Maintenance :

The Regulation, Interchange, Accommodation, and Conveyance of Traffic coming from or destined for the respective Railways of the contracting Companies :

The Collection, Division, and Appropriation of the Tolls, Income, and Profits arising from such Traffic, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of the said Companies to the other of them by virtue of any such Contract or Agreement.

43. No such Contract or Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies for the Time being shall be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Contract or Agreement, be entitled to the Use and Benefit of the Railways to which the same may relate upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Contract or Agreement had been entered into. Agreements to be approved by Board of Trade.
Not to affect Third Parties.

44. Every such Contract or Agreement shall be approved by the Board of Trade, and no such Contract or Agreement or further Contract or Agreement shall have any Operation or Effect, nor shall the Board of Trade approve the same, unless and until the same shall have been submitted to and assented to by Three Fifths of the Votes of the Shareholders present, personally or by proxy, at a Meeting of each Company Party thereto specially called for that Purpose. Assent of Shareholders.

45. Such Meetings shall be called by Advertisement inserted once in each of Two successive Weeks in a Morning Newspaper published in Meetings how to be convened.

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27 M

Dublin,

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

Dublin, and in some Newspaper of the County in which the Principal Office for the Time being of the Company by whom or on whose Behalf such Advertisement is inserted is situate, the last of which Advertisements shall be published not less than Seven Days before such Meeting, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of such Company, served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the Company upon the Shareholders.

Agreements may be revised by Board of Trade.

46. Provided always, That at the Expiration of the first or any subsequent Period of Ten Years from the making of any such Contract or Agreement, or of any Modification of any such Contract or Agreement, it shall be lawful for the Board of Trade, if they think fit, to cause the same to be revised, and the Board of Trade shall have Power to declare any Modification required by that Board to be Part of the Contract or Agreement, and thenceforth the same shall be construed and take effect with the Modification accordingly.

Notice of Revision.

47. The Company shall previous to the Expiration of each such decennial Period give such public Notice as the Board of Trade may prescribe that the Board has such Power, and is about to enter on such Revision, and will entertain Complaints with a view to the Removal of any Evil resulting to the Public from any such Contract or Agreement.

Companies may appoint Joint Committee for carrying Agreements into effect.

48. The said Companies may by any such Contract or Agreement as aforesaid appoint a Joint Committee composed of such of the Directors of the said Companies as the said Companies may think proper, and from Time to Time may alter, vary, and renew any such Committee as Occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the said Companies respectively as may be necessary for carrying into effect the Purposes of the said Contract or Agreement, and every such Joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them in the same Manner as the same might have been had and exercised by the said Companies respectively or their respective Directors.

During Continuance of Agreement Railways to be deemed continuous.

49. During the Continuance of any such Contract or Agreement the Railway of the Companies Parties thereto shall for the Purposes of Tolls and Charges be considered One Railway; and in estimating the Amount of Tolls and Charges in respect of Traffic conveyed partly on the Railway of one of the Companies and partly on the Railway of the other of the Companies for a less Distance than Four Miles, Tolls and Charges may only be charged as for Four Miles, and for each Mile or Fraction of a Mile beyond Four Miles as for One Mile only for Passengers, and for each Quarter of a Mile or Fraction thereof as for a Quarter of a Mile for Animals,

The Sligo and Ballaghaderreen Junction Railway Act, 1863.

Animals, Minerals, and Goods, and no other Short-distance Charge shall be made for traversing both Railways.

50. Nothing in this Act contained shall lessen or invalidate the Right to make Contracts which the Company may derive from "The Railways Clauses Consolidation Act, 1845," or from any General Statute or Law from Time to Time in force, and applicable to the Company and the *Midland* Railway Company.

Saving legal Right to contract.

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

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

52. The Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, and preparatory or incidental thereto, shall be paid and discharged by the Company.

Expenses of Act.

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