



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cccxxi.

An Act for making Railways and Tramways in and near the City of *Dublin*.

[29th *July* 1864.]

WHEREAS the Construction of Railways and Tramways for the Purpose of connecting the several Lines of Railway having Stations at *Dublin* with each other, and with the Ports of *Dublin* and *Kingstown*, would be of great local and public Advantage : And whereas the Persons herein-after named (with others) are desirous of being incorporated into a Company for the Purpose of making and maintaining such Railways and Tramways : And whereas it is expedient that the Company so to be incorporated should be empowered to enter into such Contracts and Arrangements as are herein-after authorized relating to the said Railways and Tramways with the several Railway Companies herein-after in that Behalf mentioned : And whereas Plans and Sections of the intended Railways, Tramways, and Works, showing the Lines and Levels thereof, with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through or upon which the same are intended to be made, or which may be required for the Purposes of the Undertaking, have been deposited with the Clerks of the Peace for

[*Local.*] 55 G the

The Dublin Trunk Connecting Railway Act, 1864.

the County of *Dublin* and the County of the City of *Dublin*: And whereas 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, as follows; that is to say,

8 & 9 Vict.
cc. 16. 18. &
20.,
14 & 15 Vict.
c. 70.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92. & 118.
incorporated.

1. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to Cancellation and Surrender of Shares) of "The Companies Clauses Act, 1863," "The Railways Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Act (*Ireland*), 1851," "The Railways Act (*Ireland*), 1860," and Part I. (relating to Construction of a Railway) and Part III. (relating to Working Agreements) of "The Railways Clauses Act, 1863," (save as to such Parts thereof respectively as are expressly varied or excepted by this Act,) shall be incorporated with and form Part of this Act.

Interpreta-
tion of
Terms.

2. In construing this Act the Term "Court of competent Jurisdiction," or any other like Expression, 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; and in construing the incorporated Acts in connexion with this Act, the Term "Superior Courts" shall include any Court of competent Jurisdiction as defined by this Act.

Same Mean-
ings to
Words 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, or other Meanings be expressly assigned to them by this Act.

Short Title.

4. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Dublin Trunk Connecting Railway Act, 1864.*"

Subscribers
incorporated.

5. The Persons following, (that is to say,) *John O'Meara, William Thomas Mulvany, Thomas White, and Edward Nathan Burgess*; and all other Persons and Corporations who have already subscribed or who shall hereafter subscribe to the Undertaking, their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the
Railways

The Dublin Trunk Connecting Railway Act, 1864.

Railways and Tramways and Works connected therewith hereby authorized, and for carrying into effect the Objects and Purposes of this Act, and such Company shall be incorporated by the Name of "The *Dublin Trunk Connecting Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the incorporated Acts contained.

6. The Capital of the Company shall be Two hundred and fifty- Capital.
five thousand Pounds.

7. The Number of Shares into which the Capital shall be divided Shares.
shall be Twenty-five thousand five hundred, and the Amount of each Share shall be Ten Pounds, and no Share shall be issued by the Company or shall vest in the Person accepting the same until not less than Twenty *per Centum* on the nominal Amount thereof shall have been paid thereon.

8. The greatest Amount of any One Call which the Company Calls.
may make on the Shareholders shall be Two Pounds for each Share, and Three Months at the least shall be the Interval between successive Calls, and Three Fourth Parts of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share.

9. The Company may from Time to Time borrow on Mortgage Power to
any Sums not exceeding in the whole Eighty-five thousand Pounds, borrow on
but no Money shall be so borrowed under the Powers of this Act Mortgage.
until the whole of the Capital of Two hundred and fifty-five thousand Pounds is subscribed for or taken, and One Half thereof is paid up, and until the Company shall prove to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for the whole of the said Capital of Two hundred and fifty-five thousand Pounds have been issued and accepted *bonâ fide*, and that not less than Twenty *per Centum* had been paid up on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares were taken *bonâ fide*, and are held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, of which Proof having been given the Certificate of such Justice under that Section shall be sufficient Evidence; and all Monies by this Act authorized to be raised, whether by Shares or Mortgage, shall be applied only in carrying into execution the Objects and Purposes of this Act.

10. The

The Dublin Trunk Connecting Railway Act, 1864.

Arrears may be enforced by Appointment of Receiver.

10. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their respective Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of such Receiver, in the event of the Principal Monies due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall be not less than Ten thousand Pounds in the whole.

First and other Meetings.

11. The First General Meeting of the Company shall be held within Six Months next after the passing of this Act.

Number and Qualification of Directors.

12. The Number of the Directors shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking.

First Directors.

13. *John O'Meara, William Thomas Mulwary, Thomas White, and Edward Nathan Burgess,* together with such Three other Persons as they or such of them as are for the Time being in Office shall nominate in this Behalf, shall be the First Directors of the Company: Provided always, that the Acts and Proceedings of the Directors previous to such Nomination shall not be invalidated by reason of their Number being less than Seven.

Election of Directors.

14. The Directors appointed by this Act and the Directors to be nominated as aforesaid, shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by proxy, may either continue in Office such 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, and Three additional Directors if necessary to make up the Number of Seven, the Directors appointed by this Act, or nominated as aforesaid, being eligible as Members of such new Body.

Quorum.

15. A Quorum of a Meeting of Directors shall be Three.

Power to construct Railways.

16. Subject to the Provisions of this Act and the Acts incorporated herewith, it shall be lawful for the Company to make and maintain the Railways and Tramways by this Act authorized, with all proper Stations, Sidings, Approaches, Embankments, Works, and Conveniences connected therewith, in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and (subject to the Provisions herein-after contained) according to the Levels described on those Sections, and to enter upon, take, and use such of those Lands as shall be necessary for such Purposes.

17. And

The Dublin Trunk Connecting Railway Act, 1864.

17. And whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that Certificates of any Omissions, Mis-statements, or erroneous Descriptions in certain Plans and Books of Reference therein referred to, shall be deposited with the Postmasters of the Post Towns in or nearest to the several Parishes in *Ireland* in which the Lands affected thereby shall 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 shall 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, instead of the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," the Expression "Clerks of the Unions within which such Parishes are included in *Ireland*," and as if instead of the Word "Postmasters" the Words "Clerks of the Union" had been used and inserted in that Act throughout those Provisions.

As to Deposit
of Plans
with Clerks
of Unions.

18. The Works by this Act authorized comprise the following; (that is to say,) Description
of Works.

First, a Railway (No. 1.) commencing in the Parish of *St. James* in the County of the City of *Dublin* by a Junction with the *Great Southern and Western Railway* at or near the *Kingsbridge* Terminus thereof, and terminating in the Parish of *St. Mary, Donnybrook*, in the County of the City of *Dublin* by a Junction with the *Dublin and Kingstown Railway*:

Secondly, a Railway (No. 2.) commencing in the Parish of *Grangegorman* in the County of *Dublin* by a Junction with Railway (No. 1.) near the *Circular Road*, and terminating in the said Parish of *Grangegorman* by a Junction with the *Midland Great Western Railway of Ireland*:

Thirdly, a Railway (No. 3.) commencing in the said Parish of *Grangegorman* by a Junction with Railway (No. 1.) near *Annaville*, and terminating in the said Parish of *Grangegorman* by a Junction with the *Midland Great Western Railway of Ireland*:

Fourthly, a Railway (No. 4.) wholly in the Parish of *St. George* and County of *Dublin*, commencing by a Junction with Railway (No. 1.) near the *Whitworth Hospital*, and terminating by a Junction with the *Liffey Branch* of the *Midland Great Western Railway of Ireland*:

[Local.]

55 H

Fifthly,

The Dublin Trunk Connecting Railway Act, 1864.

Fifthly, a Railway (No. 5.) wholly in the Parish of *St. Thomas* in the County of the City of *Dublin*, commencing by a Junction with Railway (No. 1.) near the *North Strand*, and terminating by a Junction with the *Dublin and Drogheda* Railway :

Sixthly, a Railway (No. 6.) commencing in the said Parish of *St. Thomas* by a Junction with Railway (No. 1.) near *Church Road*, and terminating on the Slob Lands of *Dublin Bay* by a Junction with the *Dublin and Drogheda* Railway :

Seventhly, a Railway (No. 7.) commencing in the said Parish of *St. Thomas* by a Junction with Railway (No. 1.) near the Junction therewith of Railway (No. 6.), and terminating in the said Parish of *St. Thomas* by a Junction with the *Dublin and Drogheda* Railway near the crossing of that Railway by the *Liffey Branch* of the *Midland Great Western* Railway :

Eighthly, a Tramway wholly in the said Parish of *St. Thomas*, commencing by a Junction with Railway (No. 1.) near *Sheriff's Street*, and terminating on the *North Wall* near the Junction of the *Royal Canal* with the River *Liffey* :

Ninthly, a Tramway commencing in the said Parish of *St. Mary, Donnybrook*, by a Junction with Railway (No. 1.) near *London Bridge*, and terminating in the Parish of *St. Mark* in the County of the City of *Dublin* at or near *Charlotte Quay* on the *Grand Canal Dock*.

Steam Power not to be used on Tramways.

19. It shall not be lawful for the Company to use Carriages propelled by Steam, or by atmospheric Agency, or drawn by Ropes, in connexion with a Stationary Engine upon the Tramways authorized by this Act or either of them.

Power to cross certain Roads on the Level.

20. Subject to the Provisions in "The Railways Clauses Consolidation Act, 1845," and "The Railways Clauses Act, 1863," contained, with reference to the crossing of Roads on the Level, the Company may, in the Construction of the Tramways by this Act authorized, carry the same across and on the Level of the several Roads which on the Plans deposited as aforesaid are respectively numbered as follows :

Number of Road on those Plans.	Parish or Place in which the Road is shown on those Plans.	Description of Road.
On Tramway to North Wall (No. 8.)		
133	Saint Thomas - - - - -	Public Carriage Road.
On Tramway to Grand Canal Docks.		
83	Saint Mary, Donnybrook - - - - -	Public Carriage Road.
6	Saint Mark - - - - -	Public Carriage Road.

Provided

The Dublin Trunk Connecting Railway Act, 1864.

Provided that while the Tramways crossing either of those Roads consists of a single Line not more than a single Line of Railway, and when such Tramway consists of a double Line not more than a double Line of Railway, shall be laid by the Company across that Road.

21. The Company may make the Arch of the Bridge for carrying Railway (Number 7.) over the public Carriage Road numbered on the deposited Plans 42., in the Parish of *Saint Thomas*, of any Height not less than Fourteen Feet. Height of Bridge.

22. And whereas it is expedient that the Construction of Railway No. 1., under the Bed of the River *Liffey*, should not interfere with the Navigation of that River or the contemplated deepening thereof, and the Improvement of the Navigation thereof by the Corporation for preserving and improving the Port of *Dublin*: Therefore the Company shall and they are hereby required to construct the said Railway No. 1. under the said River, so that the highest Point of the Crown of the Arch, or any other Works outside the covered Way or Tunnel for carrying the said Railway No. 1. under the said River, shall not be less than Thirty-two Feet nor more than Thirty-seven Feet below the Low-water Mark or Zero of the existing Standard Harbour Tide Gauge at the Office of the Engineer of the said Corporation; and it shall not be lawful for the Company to construct the said Railway under the Bed of the River *Liffey* except by Tunnelling, and no Cofferdams nor any Work of any Description shall be placed in the Bed of the said River, nor shall any Method or Appliance be employed in constructing the Tunnel which will interfere with the Waterway of the said River, except with the previous Consent in Writing of the said Corporation under their Common Seal. As to Depth of Tunnel under the Liffey.

23. A Length of the said covered Way or Tunnel lying between Two Lines Two hundred and seventy Feet apart, to be drawn parallel to the *North Wall Quay* in the Parish of *Saint Thomas* and County of the City of *Dublin* (the most Northern of such Lines being distant from the said *North Quay Wall* One hundred and sixty Feet, and the most Southern of the said Two Lines being distant from the said *North Quay Wall* Four hundred and thirty Feet, both of such Measurements to be made at Right Angles to the said Quay Wall), shall be carried and constructed horizontally, so that the highest Point of the Crown of the Arch, or any other Work outside the said intended Tunnel or covered Way shall not be less than Thirty-two Feet below the said Low-water Zero herein-before mentioned. As to certain Length of Tunnel being horizontal.

24. For

The Dublin Trunk Connecting Railway Act, 1864.

Company
may alter
Levels in
crossing
River Liffey.

24. For the Purpose of carrying the Railway No. 1. under the River *Liffey* at the Depth and in the Manner by this Act specially authorized as aforesaid, the Company may make all necessary Alterations in the Level and Gradients of Railway No. 1. under that River, and where the same Railway approaches the Banks thereof, between the Distances on the deposited Sections of Three Miles Three Furlongs and Two Chains on the North Bank of the said River, and Four Miles Four Furlongs and Three Chains on the South Bank of such River, anything in the Eleventh and Fourteenth Sections of "The Railways Clauses Consolidation Act, 1845," to the contrary thereof in anywise notwithstanding: Provided always, that subject to the Provisions of this Act with reference to the Depth of the Railway No. 1. under the River *Liffey*, nothing herein contained shall authorize the Company to deviate vertically from the Level of such Railway as shown on such Sections between the Distances aforesaid to any Extent exceeding Fourteen Feet, or to alter the Gradients between such Distances, so as that the same shall be steeper than 1 in 70 on both Sides of the said River.

As to Con-
struction of
Bridges over
Public
Streets
within the
Limits of the
City or
Borough of
Dublin.

25. In the Construction of the said Railways and Works the following Rules shall be observed:

1. Wherever a Railway shall be carried across any public Carriage Road or public Street within the Limits of the City or Borough of *Dublin*, it shall be made there and shall thenceforth be maintained so as not to lessen the present clear Width of such Road or Street, including the Footway (where a Footway now exists):
2. The Arch of the Bridge over such Road or Street shall not, without the Consent of the Corporation of *Dublin*, in any Case be of less Span than Forty Feet, with a Headway of the clear Height of Fifteen Feet in the Centre, unless as proposed by Clause 21; and the Arch over any such Road or Street shall be formed of an ornamental Character to the reasonable Satisfaction of the Engineer of the Corporation for the Time being:
3. No Abutments or Piers shall project beyond the general Line of Frontage of the adjoining Houses; provided always, that where there are Gardens or Forecourts in front of Houses, and the Distance between the Houses is great, the Company shall erect and maintain Side Openings supported with Columns back to the general Line of the Frontages of the Houses:
4. All Bridges shall be Water-tight and so constructed as, so far as it is practicable, to deaden the Sound of Engines, Carriages, and Traffic passing over them:

5. The

The Dublin Trunk Connecting Railway Act, 1864.

5. The Company shall not commence the Erection of any Bridge proposed to be constructed for the Purpose of carrying a Railway over any Road or Street or Way within the Area under the Jurisdiction of the Corporation until they shall have given to the said Corporation Twenty-one Days Notice in Writing of their Intention to commence the same, by leaving such Notice at the Office of the said Corporation, with Plans, Elevations, Sections, and other necessary Particulars of the Construction of the said Bridges, and until the said Corporation shall have signified their Approval of the same, unless the Corporation fail to signify such Approval or their Disapproval or other Directions within Twenty-one Days after the Service of the said Notice and Delivery of the said Plans, Elevations, Sections, and other Particulars as aforesaid :

6. The Company shall comply with and conform to all Directions and Regulations of the said Corporation in the Execution and subsequent Maintenance of the said Bridge and Works connected therewith, and shall save harmless the said Corporation against all and every Expense to be occasioned thereby ; and all such Works shall, subject to the Provisions of this Act, be done by and under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Corporation, at the Costs, Charges, and Expenses in all respects of the Company, and all Costs, Charges, and Expenses which the said Corporation may be put to by reason of the Works of the Company, whether in the Execution of the Works, the Preparation or Examination of Plans or Designs, Superintendence or otherwise, shall be paid to the said Corporation by the Company on Demand.

26. Wherever the Railway shall cross by means of a Cutting or otherwise under any public Road or public Street within the Limits of the City or Borough of *Dublin*, so as to interfere with or alter the Rates of Inclination of such Road or Street, it shall be made there and shall thenceforth be maintained so as that the minimum Inclination of such Road or Street shall not in any Case be less than One in Forty ; and in respect of other Roads and Streets within the City of *Dublin* not being public Thoroughfares the minimum Inclination of such Roads and Streets shall not be less than One in Thirty ; and all Bridges constructed by the Company under any Roads or Streets shall be constructed so as not to lessen the present clear Width of such Road or Street, including the Footway, and shall be further so covered as to prevent, so far as may be practicable, the Escape of Steam, Smoke, or other offensive Effluvia into the said Roads and Streets ; and such Bridges shall be so constructed,

As to Bridges
over Cuttings
in public
Roads and
Streets.

[*Local.*]

55 I

as

The Dublin Trunk Connecting Railway Act, 1864.

as far as may be practicable, so as to deaden the Sound of Engines, Carriages, and Traffic passing underneath them; and the Company shall not execute or commence the Erection of any such Bridges or Works as aforesaid until they shall have given the said Corporation Twenty-one Days Notice in Writing of their Intention to commence the same, by leaving such Notice at the Office in the said City of the Engineer of the Corporation or the Town Clerk, with Plans, Elevations, Sections, and other necessary Particulars of the Construction of the said Bridges, and until the said Corporation shall have signified their Approval of the same, unless the Corporation fail to signify such Approval or their Disapproval or other Directions within Twenty-one Days after Service of the said Notice and Delivery of the said Plans, Elevations, Sections, and other Particulars as aforesaid, and the Company shall comply with and conform to all Directions and Regulations of the said Corporation in the Execution and subsequent Maintenance of the said Bridges and Works connected therewith, and shall save harmless the said Corporation against all and every Expense to be occasioned thereby; and all such Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Corporation, at the Costs, Charges, and Expenses in all respects of the Company, and all Costs, Charges, and Expenses which the said Corporation may be put to by reason of the Works of the Company, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to the said Corporation by the Company on Demand.

For Protec-
tion of
Sewers
under Con-
trol of Cor-
poration of
Dublin.

27. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of, or so as to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the said Corporation, and vested in them by and under the Provisions of the *Dublin Improvement Act, 1849*, and the Acts incorporated therewith, and of the Acts amending the said Acts or extending the Powers thereof, or with any Sewers or Works to be made or executed by the said Corporation, or shall or may in any way affect the Sewerage or Drainage of the Districts under their or either of their Control, the Company shall not commence such Work until they shall have given to the said Corporation Three clear Days Notice in Writing of their Intention to commence the same, by leaving such Notice at the Office of the Town Clerk of the said Corporation for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until the said Corporation shall have signified their Approval of the same, unless the Corporation do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of

of

The Dublin Trunk Connecting Railway Act, 1864.

of the said Plan, Sections, and Particulars as aforesaid; and the Company shall comply with and conform to all Orders, Directions, and Regulations of the said Corporation in the Execution of the said Works, and shall provide by new, altered, or substituted Works in such Manner as the said Corporation may deem necessary for the proper Protection of and for preventing Injury or Impediment to the Sewers and Works herein-before referred to by or by reason of the said intended Works or any Part thereof.

28. And whereas the Water Supply to the Inhabitants of the City of *Dublin* is vested in the Corporation of *Dublin*, and in the Execution of the Works by this Act authorized, the Mains, Pipes, Syphons, Plugs, and other Works belonging to them will be intersected or otherwise interfered with, and it is expedient that the Corporation should have full Control over the Execution of all Works in any way affecting such Supply so as effectually to provide against the same being impeded: Therefore, all Works, Matters, and Things which, under the Provisions of the Railways Clauses Consolidation Act, 1845, or any of the other Acts incorporated with this Act, and this Act, the Company may be empowered or required to do or execute with reference to the said Mains, Pipes, Syphons, Plugs, or other Works, shall be done and executed by the Corporation under the sole Direction of their Engineer for the Time being at the Cost of the Company, and in every Case the Company shall give to the Corporation Three clear Days Notice in Writing before they require to execute any Works that may interfere with the said Mains, in order that the Corporation shall make such Arrangements from Time to Time for the Supply of Water to the Inhabitants of the said City as may be necessary under the Circumstances of the Case, and the Company shall pay all the Expenses necessarily attendant thereon or incidental thereto.

Providing for Continuance of Water Supply to the Inhabitants of Dublin.

29. And whereas the proposed Lines of Railway are to cross over the following Roads by Bridges, *viz.*, *Ballybough Road* and the *North Strand*, all within the City or Borough of *Dublin*: Therefore in every of the above Cases the Railway Bridges crossing the same shall not be in Breadth less than the full Width of the said Roads respectively.

Providing for crossing certain Roads in Dublin.

30. And whereas it is proposed by the said Plans and Sections to considerably lower the Carriageways of the *West Road* and of the *East Wall*, both within the said City or Borough of *Dublin*: Therefore the Company shall and they are hereby required to provide for keeping the same free from tidal or under Water, and in a safe Condition for Traffic, to the Satisfaction of the Corporation of *Dublin* and their authorized Officers.

As to certain Carriageways.

31. And

The Dublin Trunk Connecting Railway Act, 1864.

Company
to make
Bridges over
the Royal
Canal in a
prescribed
Manner.

31. And whereas the Railway (No. 1.) described in Section 18. of this Act is intended to be carried by means of Bridges over the *Royal Canal* at Two Points near to the Junction of *Broadstone Level* with the *Liffey Branch* of the said *Royal Canal*, as shown upon the said Plans so deposited as aforesaid: Therefore the Company shall, at their own Expense, construct in a proper Manner, and to the reasonable Satisfaction of the Engineer for the Time being of the *Midland Great Western Railway of Ireland Company*, good and substantial Bridges over the said Canal, and the Towing-paths, Banks, and other Works thereof respectively, at the aforesaid Points where the said Railway is intended to be carried over the said Canal, as shown upon the said Plans so deposited as aforesaid, or within such limited Deviation therefrom as herein-after authorized, and the clear Opening or Span of the Arch of each of such Bridges between the Walls or Abutments thereof shall be of the Width on the Square of Forty Feet at the Point of crossing the navigable Waterway of the Canal and the Towing-paths on each Side thereof, unless the Company should think it expedient to make the Opening or Span of the Arch of each of such Bridges of a greater Width, and each of such Bridges shall have Close Fences not less than Six Feet high above the Level of the Rails, and the Spring of the Arch or Soffit of the Girders shall at the Point of crossing over the said Canal commence at a Point not being less than Ten Feet above the present Surface of the Towing-paths of the said Canal, and the under Side of the Middle of the Arch shall not be less than Fourteen Feet above the Top-water Level of the said Canal, and the extreme Width of each of such Bridges between the Parapet Walls thereof shall not exceed Thirty Feet.

As to Con-
struction of
Works under
the *Midland
Great West-
ern Railway.*

32. The Railway of the Company, herein described as Railway No. 1. shall be carried under the *Midland Great Western Railway of Ireland* at such a Level as not to interfere with or alter the existing Level or Gradient of the *Midland Great Western Railway of Ireland*, and the Works connected therewith shall be designed, executed, repaired, and maintained to the reasonable Satisfaction of the Engineer for the Time being of the *Midland Great Western Railway of Ireland Company*, and in such Manner as not to damage, endanger, or in anywise interfere with the free, safe, and uninterrupted Working and Use of or Passage along the *Midland Great Western Railway* or the Works connected therewith.

In Construc-
tion of
Bridges
Traffic not
to be inter-
rupted.

33. The Construction of the said Bridges and the necessary Works in connexion therewith shall be carried on so that the Traffic on the *Midland Great Western Railway of Ireland* be not in any Manner interrupted, and in such Manner as shall be agreed upon between the Engineer for the Time being of the *Midland Great Western*

The Dublin Trunk Connecting Railway Act, 1864.

Western Railway of Ireland Company and the Engineer for the Time being of the Company, and in case of Difference arising as to the Mode of carrying on such Construction the same shall be determined by a Referee to be appointed by the Board of Trade on the Application of either Company, and the Company shall defray the Costs of the Arbitration, unless otherwise decided by the Arbitrator.

34. If or by reason or in the Execution of any of the Works by this Act authorized, or by reason of the Mode of Construction, or of the bad State of Repair of any such Bridge or Bridges as aforesaid, or any of the Slopes, Cuttings, Banks, Towing-paths, or Works of the said Railway near the said Canal or Railway, or either of them, or of any other Works by this Act authorized to be constructed, or by any Act or Omission of the Company or any of their Agents or Servants, any of the Works connected with the said Railway or the said Canal or Towing-path shall be injured or damaged, such Injury or Damage shall be forthwith made good by the Company at their own Expense, or in the event of their failing so to do then the *Midland Great Western Railway of Ireland* Company may make good the same, and recover the Expense thereof from the Company in any Court of competent Jurisdiction; and if it shall happen that the said Canal or the Towing-paths thereof, or the said Railway or either of them, or any of the Works connected therewith, shall be so injured or obstructed that Engines, Carriages, and Waggons using the said Railway, and Boats or other Vessels using the said Canal, with their usual and accustomed Loads, or Traffic using the said Canal, shall be obstructed and impeded in their or its Passage along the said Railway or Canal or either of them, or shall not be able to pass freely along the same, then and in such Case the Company shall pay to the *Midland Great Western Railway of Ireland* Company, as or by way of ascertained Damages, the Sum of Twenty Pounds for every Hour during which any such Obstruction and Impediment shall continue, and in default of Payment of any such Sum, on Demand made on the Company, the *Midland Great Western Railway of Ireland* Company may sue for and recover the same, together with full Costs of Suit, against the Company, by Action in any of the Superior Courts.

In case of Obstruction to Railway or Canal, Company liable to Damages for same.

35. The Company shall, at their own Expense, at all Times for ever after the said several Bridges and Towing-paths shall have been completed, keep the same, and all future Bridges to be erected or made respectively in lieu thereof, together with all Works belonging to or connected therewith respectively, in good and complete Repair; and in case of any Want of Repair to such Bridges or either of them, or any Work belonging thereto or connected therewith, and Notice

Company to keep Bridges, &c. in repair, and all Works in connexion therewith.

[Local.]

55 K

in

The Dublin Trunk Connecting Railway Act, 1864.

in Writing thereof being given by the *Midland Great Western Railway of Ireland* Company or their Secretary to the Company, then, if the Company shall not within the Space of Three Days after such Notice commence the Repairs, or, as the Case may require, the raising or rebuilding or Reconstruction of the said Bridges which shall be out of Repair, or such Part or Parts thereof or as it shall for the Time being be requisite to repair, raise, or rebuild or reconstruct, and proceed therein with all reasonable Expedition until such repairing or rebuilding or Reconstruction shall be wholly completed, it shall be lawful for the *Midland Great Western Railway of Ireland* Company to make all such Repairs to any such Bridge or Bridges, and to raise, rebuild, or reconstruct the same, or such of them or such Part thereof respectively as shall be necessary, in such Manner as they may think proper; and all the Expenses thereof shall be repaid by the Company to the *Midland Great Western Railway of Ireland* Company, upon Demand, and in default of such Payment the *Midland Great Western Railway of Ireland* Company may recover the same in any Court of competent Jurisdiction, together with all Costs and Expenses occasioned by the Nonpayment thereof: Provided always, that at all reasonable Times the Engineer for the Time being of the *Midland Great Western Railway of Ireland* Company, with the requisite Assistants and Workmen, shall have free Access to such Bridges, and full Permission to inspect the Workmanship and Materials thereof.

Company not to alter the Course of the Royal Canal.

36. Except as herein specially provided, it shall not be lawful for the Company, or any Person, in execution of this Act, to alter the Course of the said Canals or either of them, or to contract the Width of the same Canals or either of them, or of the Towing-paths thereof, respectively, or of any Space of Land belonging to the *Midland* Company reserved or intended as a Towing-path or Paths thereof, or to obstruct the Course or Supply of the Water in or to the said Canals or either of them, or in any Manner to impede the Navigation thereof or Access thereto, or to any Wharf or Wharves near or adjoining, or to injure any of the Banks or other Works of or belonging to the said Canals or either of them; and it shall not be lawful for the Company (except during the Execution of the Works for the Purpose of crossing of the said Canals as aforesaid) to take or interfere with the said Canals or either of them, or to make any lateral Deviation from the Course or Direction of the said Railway first hereby authorized to be made, as delineated in the said Plans so deposited as aforesaid, by which Deviation any Road, Bridge, Lock, or House of the *Midland Great Western Railway of Ireland* Company shall be taken, used, or damaged, without the Consent of the same Company under their Common Seal first had and obtained.

37. With

The Dublin Trunk Connecting Railway Act, 1864.

37. With respect to any Lands belonging to the *Midland Great Western Railway of Ireland Company*, the Company shall not, except by Agreement, purchase and take the same, but the Company may purchase, and the *Midland Great Western Railway of Ireland Company* may and shall sell and grant an Easement or Right of using the same for the Purposes of the Railways hereby authorized.

Company to acquire only Easement in Land of Midland Great Western Railway of Ireland Company.

38. The Powers by this Act conferred for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act.

Powers for compulsory Purchases limited.

39. It shall be lawful for the Company to purchase by Agreement and not compulsorily for extraordinary Purposes, as defined in "The Railways Clauses Consolidation Act, 1845," any Lands not exceeding Two Acres, adjoining or near to any of the Railways or Tramways by this Act authorized.

Land for extraordinary Purposes.

40. The Railways, Tramways, and other Works connected therewith shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said recited Acts granted to the Company for executing the said Railways, Tramways, and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railways, Tramways, and Works as shall then be completed.

Period for Completion of Works.

41. And 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, certain Exchequer Bills of the aggregate Nominal Value of Twenty thousand four hundred Pounds, purchased for the Sum of Twenty thousand four hundred Pounds, being a Sum equal to Eight *per Centum* of the estimated Cost of the Railways and Tramways by this Act authorized to be constructed, have been deposited with the Court of Chancery in *Ireland* in respect to the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Exchequer Bills so deposited as aforesaid, or the Interest thereof, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be delivered or paid 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 by this Act limited for the Completion of the Railways, either open the Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital

Security for Completion of Railways within Time limited.

by

The Dublin Trunk Connecting Railway Act, 1864.

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 Railways for the public Conveyance of Passengers or have given such Proof as aforesaid to the Satisfaction of the Board of Trade, the said Exchequer Bills so deposited as aforesaid, and the Interest 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 Twenty thousand four 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 Twenty thousand four hundred Pounds so deposited as aforesaid, if the Company shall not, within the Period by this Act limited for the Completion of the Railways, either open the Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the said 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 Exchequer Bills so deposited as aforesaid and the Interest thereof shall be delivered and 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, or the Executors or Administrators of such Survivor, 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 Exchequer Bills so deposited as aforesaid, and the Interest 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 Board of Trade that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

The Dublin Trunk Connecting Railway Act, 1864.

42. It shall not be lawful for the Company to open for Traffic the Railways or any or either of them by this Act authorized, until the Railways No. 2, 3, and 4, also by this Act authorized, shall have been completed and opened, unless Default in the Completion and Opening of the last-mentioned Railways shall arise from the Acts or Defaults of the *Midland Great Western Railway of Ireland Company*.

Certain Railways not to be opened till other Lines completed.

43. The Railway of the Company herein described as Railway No. 1. shall be carried under the *Dublin and Drogheda Railway* at such a Level as not to interfere with or alter the existing Level or Gradient of the *Dublin and Drogheda Railway*, and the said Railway No. 1. and the Works connected therewith, as well as so much of the Works connected with the Railways Nos. 5, 6, and 7, hereinafter referred to, as unites with the *Dublin and Drogheda Railway* at their Points of Junction shall be designed, executed, repaired, and maintained to the reasonable Satisfaction of the Engineer for the Time being of the *Dublin and Drogheda Railway Company*, and in such Manner as not to damage, endanger, or in anywise interfere with the free, safe, and uninterrupted Working and Use of or Passage along the *Dublin and Drogheda Railway* or the Works connected therewith.

As to Construction of Works under the *Dublin and Drogheda Railway*.

44. The Construction of the said Railway No. 1. under the said *Dublin and Drogheda Railway*, and the necessary Works in connexion therewith, shall be carried on so that the Traffic on the *Dublin and Drogheda Railway* be not in any Manner interrupted, and in such Manner as shall be agreed upon between the Engineer for the Time being of the *Dublin and Drogheda Railway Company* and the Engineer for the Time being of the Company; and in case of Difference arising as to the Mode of carrying on such Construction, the same shall be determined by a Referee to be appointed by the Board of Trade on the Application of either Company, and the Company shall defray the Costs of the Arbitration, unless otherwise decided by the Arbitrator.

In Construction of Bridge Traffic not to be interrupted.

45. If or by reason or in the Execution of any of the Works by this Act authorized, or by reason of the Mode of Construction, or of the bad State of Repair of any such Works as aforesaid, or any of the Slopes, Cuttings, Banks, or Works of the said Railways, or either of them, or of any other Works by this Act authorized to be constructed, or by any Act or Omission of the Company, or any of their Agents or Servants, any of the Works connected with the said Railway shall be injured or damaged, such Injury or Damage shall be forthwith made good by the Company at their own Expense; or in

In case of Obstruction to Railway Company liable to Damage for same.

The Dublin Trunk Connecting Railway Act, 1864.

the event of their failing so to do then the *Dublin and Drogheda* Railway Company may make good the same, and recover the Expense thereof from the Company, in any Court of competent Jurisdiction; and if it shall happen that the *Dublin and Drogheda* Railway or any of the Works connected therewith shall be so injured or obstructed that Engines, Carriages, and Waggons using the said *Dublin and Drogheda* Railway shall be obstructed and impeded in their Passage along the said *Dublin and Drogheda* Railway, or shall not be able to pass freely along the same, then and in such Case the Company shall pay to the *Dublin and Drogheda* Railway Company, by way of ascertained Damages, the Sum of Twenty Pounds for every Hour during which any such Obstruction and Impediment shall continue, and in default of Payment of such Sum on Demand made on the Company, the *Dublin and Drogheda* Railway Company may sue for and recover the same, together with full Costs of Suit, against the Company, by Action in any of the Superior Courts.

Company to keep Bridge in repair, and all Works in connexion therewith.

46. The Company shall at their own Expense at all Times for ever after the Bridge over Railway No. 1. and under the *Dublin and Drogheda* Railway shall have been completed, keep the same and all future Bridges to be erected or made respectively in lieu thereof, together with all Works belonging to or connected therewith respectively in good and complete Repair, and in case of any Want of Repair to such Bridge, or any Work belonging thereto or connected therewith, and Notice in Writing thereof being given by the *Dublin and Drogheda* Railway Company or their Secretary to the Company, then if the Company shall not within the Space of Three Days after such Notice commence the Repairs, or, as the Case may require, the renewing or rebuilding or Reconstruction of the said Bridge, which shall be out of Repair, or such Part or Parts thereof, or as it shall for the Time being be requisite to repair, renew, or rebuild, or reconstruct, and proceed therein with all reasonable Expedition until such repairing or rebuilding or Reconstruction shall be wholly completed, it shall be lawful for the *Dublin and Drogheda* Railway Company to make all such Repairs to such Bridge, and to renew, rebuild, or reconstruct the same, or such Part thereof as shall be necessary, in such Manner as they think proper, and all the Expenses thereof shall be repaid by the Company to the *Dublin and Drogheda* Railway Company upon Demand, and in default of such Payment the *Dublin and Drogheda* Railway Company may recover the same in any Court of competent Jurisdiction, together with all Costs and Expenses occasioned by the Nonpayment thereof: Provided always, that at all reasonable Times the Engineer for the Time being of the *Dublin and Drogheda* Railway Company, with the requisite
 Assistants

The Dublin Trunk Connecting Railway Act, 1864.

Assistants and Workmen, shall have free Access to such Bridge and full Permission to inspect the Workmanship and Materials thereof.

47. With respect to any Lands belonging to the *Dublin and Drogheda* Railway Company, the Company shall not, except by Agreement, purchase and take the same; but the Company may purchase, and the *Dublin and Drogheda* Railway Company may and shall sell and grant, an Easement or Right of using the same for the Purposes of the Railway hereby authorized, but not for the Purpose of any Station.

Company to acquire only Easement in Land of Dublin and Drogheda Railway Company.

48. It shall not be lawful for the Company to open for Traffic the Railways or any or either of them by this Act authorized until the Railways No. 5., No. 6., and No. 7., also by this Act authorized, shall have been completed and opened, unless Default in the Completion and Opening of the last-mentioned Railways shall arise from the Acts or Defaults of the *Dublin and Drogheda* Railway Company.

Certain Railways not to be opened till other Lines completed.

49. It shall be lawful for the Company to levy and demand Rates, Tolls, and Duties, for the Use of the Railways and Tramways, not exceeding the following; (that is to say,)

Tolls.

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

For all Coke and Charcoal, all Stones for building, pitching, and paving; all Bricks, Tiles, Slates, Clay, Sand, and all Descriptions of Wrought Iron Castings not manufactured into Utensils or other Articles of Merchandise, Soda, Oil Cake, Oil in Casks, Pitch, Tar, Saltpetre, Ale and Beer, Raw Hides, Hoofs and Horns, Bones and Asphaltum, Sugar, Coffee, Rice, Tallow, Cheese, Butter in Casks, Potatoes, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Blocks, Slabs 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 One Halfpenny:

For all manufactured Iron, Steel Tools, Metals, not being Iron, Bark, Manchester Packs, Linen, Paper, Hay, and Straw, *per Ton per Mile* Twopence Halfpenny; and if conveyed in Carriages

The Dublin Trunk Connecting Railway Act, 1864.

Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny :

For all Cotton and other Wools, Drugs, manufactured Silk, Fruit, Fish, Merchandise, and all other Articles, Matters, or Things, *per* Ton *per* Mile Threepence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny :

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 belonging to the Company, *per* Mile not exceeding Sixpence ; and One Penny Halfpenny for every additional Quarter of a Ton or Fraction of a Quarter of a Ton which such Carriage may weigh :

For every Person conveyed upon the Railways *per* Mile Twopence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny :

For every Horse, Mule, or Ass, *per* Mile Fivepence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Mile not exceeding One Penny :

For every Ox, Cow, Bull, or neat Cattle, *per* Mile Twopence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Mile not exceeding One Penny :

For every Calf or Pig, *per* Mile One Penny ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny :

For any Sheep, Lamb, or other small Animal, *per* Mile One Penny ; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

Tolls for
propelling
Power.

50. The Tolls which the Company may demand for the Use of Engines or other Power for propelling Carriages on the Railways 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 or Sums by this Act authorized to be taken.

Regulations
as to the
Tolls.

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

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

For a Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles, the Company may, with respect to Passengers, demand Toll as for One Mile ; and with respect to Animals,
Minerals,

The Dublin Trunk Connecting Railway Act, 1864.

Minerals, and Goods in proportion to the Number of Quarters of a Mile contained in such Fraction; and for such Purpose a Fraction of a Quarter of a Mile shall be deemed a Quarter of 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 respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Mahogany, Teak, Oak, 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.

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

For the Carriage of small Parcels the Company may demand any Sum which they think fit, not exceeding the Rates following:

Not exceeding in Weight Seven Pounds, Threepence:

Exceeding Seven and not exceeding Fourteen Pounds, Five-pence:

Exceeding Fourteen and not exceeding Twenty-eight Pounds, Sevenpence:

Exceeding Twenty-eight and not exceeding Fifty-six Pounds, Ninepence:

Exceeding Fifty-six and not exceeding Five hundred Pounds, such Sum as they think proper:

Provided always, that Articles sent in large 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 only apply to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, 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 One Shilling and 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 exceed Eight Tons, the Company may demand such Sum as they think fit.

[Local.]

55 M

53. Every

Tolls for
small Parcels
and single
Articles of
great
Weight.

The Dublin Trunk Connecting Railway Act, 1864.

Passengers
Luggage.

53. Every Passenger travelling upon the Railways may take with him his ordinary Luggage, not exceeding One hundred 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.

Maximum
Charges for
Conveyance
of Goods and
Cattle.

54. It shall not be lawful for the Company to charge in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals herein-after mentioned, conveyed on the Railways and Tramways by this Act authorized, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power and all other Charges incidental to such Conveyance (except a reasonable Charge for the Expense of 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 or is performed by the Company), than the several Sums herein-after mentioned; that is to say,

For all Coal, Iron in Pigs, Bars, and Rods, Salt, Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* One Penny Halfpenny :

For all Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, and all Descriptions of Wrought Iron Castings not manufactured into Utensils or other Articles of Merchandise, Soda, Oil Cake, Oil in Casks, Pitch, Tar, Saltpetre, Ale and Beer, Raw Hides, Hoofs and Horns, Bones and Asphaltum, Sugar, Coffee, Rice, Tallow, Cheese, Butter in Casks, Potatoes, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Blocks, Slabs and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Twopence :

For all manufactured Iron, Steel Tools, Metals not being Iron, Bark, Manchester Packs, Linen, Paper, Hay, and Straw, *per Ton per Mile* Threepence :

For all Cotton and other Wools, Drugs, manufactured Silk, Fruit, Fish, Merchandise, and all other Articles, Matters, or Things, *per Ton per Mile* Fourpence :

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, *per Mile* Sixpence :

For every Horse, Mule, or Ass, *per Mile* Fourpence :

For every Ox, Cow, Bull, or Neat Cattle, *per Mile* Twopence :

For

The Dublin Trunk Connecting Railway Act, 1864.

For every Calf or Pig, *per* Mile One Penny Halfpenny:

For any Sheep, Lamb, or other small Animal, *per* Mile One Penny.

55. It shall not be lawful for the Company to demand or receive any greater Sum in respect of the Carriage of Passengers conveyed on the Railways or Tramways by this Act authorized than Three-pence *per* Passenger *per* Mile in respect of any Passenger travelling in a First-class Carriage, Twopence *per* Passenger *per* Mile in respect of any Passenger travelling in a Second-class Carriage, and One Penny *per* Passenger *per* Mile in respect of any Passenger travelling in a Third-class Carriage, including the Charges for the Use of Carriages and locomotive Power, and all other Charges incidental to such Conveyance, unless in the Case of Passengers travelling by Special Trains.

Maximum Charges for Conveyance of Passengers.

56. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railways or Tramways which have not been received thereat direct from the Consignor of such Goods, or are not directed to be delivered thereat to the Consignee.

Terminal Station defined.

57. Nothing herein contained shall render it compulsory on the said Company to carry on their Railways and Tramways any Night-soil, Dung, Manure, Compost, or other offensive Matter.

Company not bound to carry Manure, &c.

58. 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 to be run upon the said Railways, but shall apply only to the Ordinary Trains appointed or to be appointed from Time to Time by the Company for Conveyance of Passengers and Goods upon the said Railways.

Restriction as to Charges not to apply to Special Trains.

59. Provided always, That nothing herein contained shall be held to prevent the Company from taking any increased Charges, over and above the Charges by this Act 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 thereto.

Company may take increased Charges by Agreement.

60. The Company, and any other Company or Person working their Railway, shall at all Times afford full Facilities for the Passage over their Railway of the Traffic of the *Midland Great Western Railway*

Full Facilities to be afforded by the Company to Midland

The Dublin Trunk Connecting Railway Act, 1864.

Great West-
ern Com-
pany.

Railway of *Ireland* Company, and shall also permit the said Company to use the Stations of the Company and the Works and Conveniences connected therewith; and the *Midland Great Western* Railway of *Ireland* Company shall afford similar Facilities for the Passage of the Traffic of the Company over so much of their Railway as will be necessary for the Transmission of such Traffic between the Junction of Railways Numbers 2 and 3 and the *Broadstone* Station of the *Midland Great Western* Railway of *Ireland* Company; and the Terms and Conditions upon which such Facilities and Use of Stations are to be afforded shall be such as may from Time to Time be agreed upon, or as, in default of Agreement, may be prescribed by the Board of Trade.

Working
Agreements
with Railway
Companies.

61. The Company may from Time to Time enter into and carry into effect Contracts and Arrangements with the *Great Southern and Western* Railway Company, the *Midland Great Western* Railway Company of *Ireland*, the *Dublin and Drogheda* Railway Company, the *Dublin and Kingstown* Railway Company, and the *Dublin, Wicklow, and Wexford* Railway Company (herein-after called the Five Companies), or with any One or more of those Companies, with respect to the following Matters or any One or more of them; (that is to say,)

The Use by the Company, and any One or more of the Five Companies jointly, or by any or either of the Five Companies jointly or separately, of the Railways and Tramways of the Company, or any of them or any Part thereof, and the Stations, Works, and Conveniences belonging to or connected therewith respectively: The Interchange, Regulation, and Transmission of the Traffic upon the Railways and Tramways of the Company, or any of them, or any Part thereof:

The Fixing, Collection, Payment, Division, Appropriation, and Distribution of the Tolls and other Income and Profits arising from the Railways and Tramways of the Company, or any Part thereof:

The Appointment and Regulation of Officers and Servants on the Railways, Tramways, and Works of the Company.

As to Tram-
ways on the
Quays.

62. And whereas the Control and Management of and Jurisdiction over the Quays of the City of *Dublin* are vested in the Corporation for preserving and improving the Port of *Dublin*, and it is expedient that all Tramways constructed along such Quays should be the Property of and regulated and managed by the said Corporation: Therefore—

1. The Powers by this Act conferred on the Company for the Construction and Maintenance of the Tramway and other Works

The Dublin Trunk Connecting Railway Act, 1864.

Works in connexion therewith, on the *North Wall*, shall be suspended, and in no Case exercised or put in force by the Company, except upon Default made by the said Corporation in the Construction of the Tramway as herein-after mentioned; such Default shall be deemed to have occurred if within Six Months after Notice in Writing from the Company the said Corporation shall not have completed a Tramway on the *North Wall*: Provided that such Notice shall be given not more than Ten Months previous to the probable opening of the Railways by this Act authorized for public Traffic, and such Notice shall be accompanied by a Certificate of an Engineer approved by the said Corporation and the said Company, or in case of Dispute appointed by the Board of Trade, that the Works upon such Railways are so far advanced that the said Railways will probably be opened for public Traffic within Ten Months from such Notice:

2. If before the said Period of Six Months after such Notice the said Corporation shall have constructed a Tramway (either complete in itself or Portions of a more extended Line) extending along the *North Wall* in the Parish of *Saint Thomas*, then and in such Case all Powers by this Act conferred on the Company for the Construction, Working, and Maintenance of the said *North Wall* Tramway shall cease and determine:

3. The Corporation may make such Byelaws, Rules, or Orders for regulating the Use of the Tramway and other Works in connexion therewith on the *North Wall* as they shall deem expedient, and may from Time to Time alter or annul such Byelaws, Rules, or Orders, and other or others make, as Circumstances may require, and may fix the Tolls, Charges, or Duties to be paid by Persons using the said Tramway on the *North Wall* for the Use thereof, and subject to such Byelaws, Rules, or Orders, and on Payment of such Tolls, Charges, or Duties the Company and all other Persons may use the said Tramway on the *North Wall*: Provided that such Byelaws, Rules, or Orders shall be made, and such Tolls, Charges, and Duties shall be fixed, upon the Principle of rendering the Use of such Tramway beneficial and advantageous as well to the Company as to all other Persons entitled to use the same:

4. In case the Company shall, under the Powers by this Act conferred, construct the said Tramway on the *North Wall*, the said Corporation shall have the Right to purchase the said Tramway and Works in connexion therewith on the *North Wall* from the Company at any Time, at the Cost Price of the Construction thereof; and on such Purchase all

The Dublin Trunk Connecting Railway Act, 1864.

Powers by this Act conferred on such Company for the Construction, Maintenance, Working, or Management of such Tramway on the *North Wall*, and charging Tolls and Rates for the Use of the same, shall be transferred to and may be exercised by the said Corporation :

5. If any Dispute shall arise between the Company and the said Corporation as to the Reasonableness of such Byelaws, Rules, or Orders, or as to the Amount of such Tolls, Charges, or Duties, or the Cost Price of Construction of the said Tramway and Works in connexion therewith (if the same be intended to be purchased by the said Corporation), such Dispute shall, on the Application of the Company or of the said Corporation, be settled by the Board of Trade or an Arbitrator appointed by them, and the Costs of the Reference shall be in the Discretion of the Arbitrator.

For Protec-
tion of
Pembroke
Township.

63. All Works necessary for the Construction of the proposed Railways according to the deposited Plans, or such Modifications thereof as may be made to satisfy the Corporation, for preserving and improving the Port of *Dublin*, through or over the *Pembroke Township*, shall be constructed by the Company to the reasonable Satisfaction of the Surveyor for the Time being of the *Pembroke Township*, and if any Dispute shall arise between the Company or their Engineer, and the *Pembroke Township Commissioners* or their Engineer for the Time being, every such Dispute shall be referred to *J. B. Greene*, Superintendent of the General Valuation of *Ireland*, or failing his Award to the Board of Trade, or to the Arbitrator named by the said Board; and the said Company shall construct such a Sewer as may be required by the aforesaid Surveyor from the Point of Deviation at *New Bridge Avenue* to the River *Liffey*, and shall provide for the Discharge of the Sewerage in an efficient Manner, such Sewer not to be less than Three Feet in Diameter, and to be at a Depth of not less than Four Feet, and in lieu of the proposed Diversion of Road No. 62. on the deposited Plan, the *Pembroke Township Commissioners* may, by Notice in Writing to the Company within Six Months after the passing of this Act, require that a Bridge shall be constructed over the Railway, and that the Road shall not be diverted, and that the Approach to the said Bridge and to all public Roads in the *Pembroke Township* shall not be less than 1 in 40: Provided always, that nothing in this Section contained shall prejudice the Rights or Powers of the said Corporation for preserving and improving the Port of *Dublin*.

All Works
connected
with certain
Gas Com-

64. And whereas in the Execution of the Works by this Act authorized the Mains, Pipes, Syphons, Plugs, and other Works belonging respectively to the Company of Proprietors of the *Hibernian Gaslight*

The Dublin Trunk Connecting Railway Act, 1864.

Gaslight Company and the *Alliance and Dublin Consumers Gaslight Company* may be intersected or otherwise interfered with, and it is expedient to provide as herein-after mentioned for the Protection of the said Gas Companies: Therefore all Works, Matters, or Things which, under the Provisions of "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*), 1860," or this Act, the Company may be empowered or required to do or execute with reference to the Mains, Pipes, Syphons, Plugs, or other Works of the said Gas Companies respectively, shall be done and executed by and at the Cost of the Company, but to the reasonable Satisfaction and under the Direction and Superintendence of the Engineer for the Time being of the Company to whom such Mains, Pipes, Syphons, Plugs, and other Works shall belong, and such Works, Matters, or other Things shall not be commenced until after Fourteen Days previous Notice thereof in Writing shall have been given to the Company to whom such Mains, Pipes, Syphons, Plugs, and other Works shall belong; and if any Dispute or Difference shall arise between the Company or their Engineer and the said Gas Companies or either of them, or their Engineers respectively or either of them, every such Dispute shall be settled by an Engineer to be appointed by the Board of Public Works in *Ireland*.

panies to be executed to the Satisfaction of their Engineers.

65. If any of the Mains, Syphons, or Plugs of the said Gas Companies or either of them shall be interfered with by the Company, or by the Acts of any of the Contractors, Agents, Workmen, or Servants, or any Person in the Employ of them or any or either of them, so as to cause Interruption in the Supply of Gas by means of such Interference, the Company shall forfeit and pay to the Gas Company whose Supply shall have been so interrupted for the Use and Benefit of such Company a Sum not exceeding Twenty Pounds for every Day in which such Interruption shall occur after Notice to the Company of such Interruption, and such Sum may be recovered by summary Process before any of the Divisional Justices of the City of *Dublin*.

Penalty for interrupting the Supply of Gas.

66. It shall be lawful for the said Gas Companies and their Engineers, Workmen, and others in their respective Employment, at all reasonable Times within the Districts in which such Companies are now entitled by Law to lay down Pipes, to enter upon the Railway, Lands, and Premises of the Company for the Purpose of laying and to lay any Mains or Pipes under or over the said Railway, Lands, Works, and Premises, or any Part thereof, and to do all such Works in and upon such Railway, Lands, and Premises as may be necessary for laying, repairing, maintaining, or removing or replacing such Mains or Pipes under or over the same Railway, Lands, and Premises: Provided always, that in so doing the said several Gas Companies, or

Gas Companies to have Access to Company's Premises.

either

The Dublin Trunk Connecting Railway Act, 1864.

either of them, shall not interrupt the Traffic passing on the said Railway in any Manner for any longer Period than may be absolutely necessary: Provided also, that all such Works shall be done by the said Gas Companies under the Superintendence of and to the reasonable Satisfaction of the Engineer of the Company; provided also, that the Expense of all Repairs or Renewals of the said Pipes or Mains, or any Works in connexion therewith, which may at any Time hereafter be rendered necessary by the Acts or Defaults of the Company, their Contractors, Agents, Workmen, or Servants, or any Person in the Employ of them or any or either of them, shall be borne and paid by the Company, and may be recovered from them by the said Gas Companies respectively in any Court of competent Jurisdiction; provided also, that if any Dispute shall arise between the said Companies or any Two of them, or their Engineers respectively, with respect to the Matters mentioned in the present Enactment, or any of them, every such Dispute shall be settled by an Engineer to be appointed by the Board of Public Works in *Ireland*.

Interest not
to be paid
on Calls
paid up.

67. It shall not be lawful for the Company, 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, to pay Interest or Dividend 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 nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the 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
Company's
Capital.

68. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect to any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railways, or execute any other Work or Undertaking.

Railway not
exempt from
Provisions of
present and
future Gene-
ral Acts.

69. Nothing herein contained shall be deemed or construed to exempt the Railway or the Company from the Provisions of any General Act relating to Railways, or to the better or 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 and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by

The Dublin Trunk Connecting Railway Act, 1864.

by this Act to be taken upon the Railways, or of the Fares for small Parcels conveyed thereon.

70. Except as is by this Act otherwise expressly provided, nothing in this Act contained shall take away, lessen, prejudice, alter, or affect any of the Rights, Privileges, Property, Powers, and Authorities of the *Midland Great Western Railway of Ireland Company*.

Saving Rights of Midland Great Western Railway of Ireland Company.

71. Any Agreement under the Powers of this Act between the Company and the *Dublin, Wicklow, and Wexford Railway Company* which shall in any way relate to the Tolls, Fares, or Charges on the *Dublin and Kingstown Railway*, or alter or affect in any way the Terms and Conditions of the Lease of that Railway to the *Dublin, Wicklow, and Wexford Railway Company*, or which shall in any way affect or tend to diminish the contingent or any other Rent payable under the said Lease, shall not be entered into unless with the Consent in Writing of the *Dublin and Kingstown Railway Company* under their Common Seal.

Saving Rights of Dublin and Kingstown Railway Company.

72. The Company shall not, without the previous Consent of the *Grand Canal Company* in Writing under their Common Seal, or under the Hand of their Secretary, lay down or construct any Tramway upon any Portion of the Quays, Lands, or other Property of the *Grand Canal Company*; and it shall not be lawful for the Company, without such Consent as aforesaid, to enter upon, take, or use any of the Quays, Lands, or other Property of the *Grand Canal Company* for any Purpose whatsoever.

For Protection of Property of Grand Canal Company.

73. The Company shall purchase the whole of the Land and Houses in the Townland of *Smotscourt* and County of *Dublin* now leased to *Henry Alexander Kennedy Esquire*, the Amount of Purchase Money to be settled in case of Difference by an Arbitrator to be appointed by the said *Henry Alexander Kennedy* and the Company, or in the event of Difference by the Board of Public Works in *Ireland*, pursuant to the Railways Act (*Ireland*); and such Arbitrator in making his Award shall give such Consideration as to him shall seem reasonable to the Amount expended in the said Property in Improvements or otherwise.

Company to purchase Property of H. A. Kennedy, Esq.

74. And whereas it is necessary that the Fortifications and Works belonging to Her Majesty and under the Charge of Her Majesty's Principal Secretary of State for the War Department should be preserved intact and free from all Obstruction: Be it therefore enacted, That nothing in this Act contained shall authorize the Company to enter upon, use, or interfere with any Land, Soil, or Water, or any Right in respect thereof, or to take away, lessen, prejudice, or alter

Saving Rights of Principal Secretary of State for War.

The Dublin Trunk Connecting Railway Act, 1864.

any of the Rights, Privileges, or Powers vested in or exercised by the said Principal Secretary for the Time being, without his previous Consent signified in Writing under his Hand, and which Consent the said Principal Secretary for the Time being is hereby authorized to give, subject to such special or other Conditions as he shall see fit to impose on the said Company.

Saving
Rights of
the Crown.

75. Nothing contained in this Act, or in any of the Acts incorporated herewith, shall authorize the Company to take, use, or in any Manner interfere with any Slob or other Land, Soil, Tenements, or Hereditaments, the Property of or in trust for Her Majesty, Her Heirs and Successors, without the Consent in Writing of the Lords Commissioners of Her Majesty's Treasury being previously obtained, or any Rights of whatsoever Nature belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); neither shall anything in the said Act or Acts contained divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Expenses of
Act.

76. All the Costs, Charges, and Expenses of and attending the passing of this Act, or preparatory or incident thereto, shall be paid by the Company.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1864.