ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

Cap. cccxcvii.

An Act for making a Railway from *Cork* to *Waterford*, with Branches therefrom.

[26th *August* 1846.]

WHEREAS the making of a Railway from the Borough or City of *Cork* in the County of the same City to the Borough or City of *Waterford* in the County of the same City, with Branches from and out of the said Railway to *Fermoy* in the County of *Cork*, and to *Tramore* in the County of *Waterford*, would be of great public Advantage: And whereas an Act was passed in the Eighth Year of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts with respect to the Constitution of Companies incorporated for carrying on Undertakings of a public Nature*, called "The Companies Clauses Consolidation Act, 1845:" And whereas another Act was passed in the said Eighth Year of the Reign of Her said Majesty, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature*, called "The Lands Clauses Consolidation Act, 1845:" And whereas another Act was passed in the said Eighth Year of the Reign of Her said Majesty, intituled

8 & 9 Vict. c. 16.

8 & 9 Vict. c. 18.

8 & 9 Vict. c. 20.

An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways, called "The Railways Clauses Consolidation Act, 1845:" And whereas the Persons hereafter named, together with other Persons, are willing at their own Expence to carry such Undertaking into execution, but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said "Companies Clauses Consolidation Act, 1845," the "Lands Clauses Consolidation Act, 1845," and the "Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, save as to such Parts thereof as may be modified by or be inconsistent with the Provisions of this Act.

Recited Acts incorporated with this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, Parliamentary Notices, and other Proceedings, it shall be sufficient to use the Expression "The *Cork and Waterford* Railway Act, 1846."

Subscribers incorporated.

III. And be it enacted, That *George Anderson*, *George Ashlin*, *William Frederick Beadon*, *Frederick Pratt Barlow*, *Charles Barry Baldwin*, *John Bowring* LL.D., *Pierce Somerset Butler*, *Thomas Stephen Coppinger*, *Nicholas Marshall Cummins*, *George Emery*, *John Bloxam Elin*, *Patrick Douglas Hadow*, *Charles Hulse*, *Henry Marshall*, *James Murphy* the younger, *Thomas Wyse*, 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 several Railways herein-before mentioned and herein-after more particularly defined, with proper Works and Conveniences belonging thereto, according to the Provisions of the said recited Acts and of this Act, and for other the Purposes herein and in the said recited Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Cork and Waterford* 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 said recited Acts contained.

Capital.

IV. And whereas the estimated Expence of making the said Railway is One million five hundred thousand Pounds; be it enacted, That the Capital of the said Company shall be One million five hundred thousand Pounds.

Number and Amount of Shares.

V. And be it enacted, That the Number of Shares into which the said Capital shall be divided shall be Sixty thousand, and the Amount of each Share shall be Twenty-five Pounds.

VI. And

Calls.

VI. And be it enacted, That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Three Months at the least shall be the Interval between successive Calls.

Interest to be paid on Calls until Railway completed.

VII. And be it enacted, That it shall be lawful for the Directors of the said Company, until the said Railways shall be completed and opened to the Public, to pay Interest, at any Rate not exceeding Four Pounds *per Centum per Annum*, in respect of the Calls paid on every Share, from the Day on which such Calls shall respectively have been paid up, such Interest to accrue and be paid at such Times and Places as the Directors for the Time being shall appoint for that Purpose: Provided always, that no Interest shall accrue to the Proprietor of any Share upon which any Call shall be in arrear, in respect of such Share, or any other Share holden by the same Proprietor, during such Period as such Call shall remain unpaid.

Power to borrow Money on Mortgage.

VIII. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Five hundred thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One million five hundred thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Mortgagees may enforce Payment of Arrears by Appointment of a Receiver.

IX. And be it enacted, That it shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Money due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than One hundred thousand Pounds on the whole.

Number and Qualification of Directors.

X. And be it enacted, That the Number of Directors of the said Company shall be Sixteen, and the Qualification of a Director shall be the Possession, in his own Right, of Forty Shares in the Undertaking.

Power to vary the Number of Directors.

XI. And be it enacted, That it shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the Number of Directors, when so reduced, be not less than Nine.

First Directors.

XII. And be it enacted, That *George Anderson*, *George Ashlin*, *William Frederick Beadon*, *Frederick Pratt Barlow*, *Charles Barry Baldwin*, *John Bowring* LL.D., *Pierce Somerset Butler*, *Thomas Stephen Coppinger*, *Nicholas Marshall Cummins*, *John Bloxam Elin*, *George Emery*, *Patrick Douglas Hadow*, *Charles Hulse*, *Henry Marshall*, *James Murphy* the younger, and *Thomas Wyse*, shall be the first Directors of the Company.

XIII. And

Directors to continue in Office till first Meeting after passing of this Act.

XIII. And be it enacted, That the Directors appointed by this Act 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 the Directors appointed by this Act 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 Directors appointed by this Act being eligible as Members of such new Body; and at the corresponding Ordinary Meeting to be held in the next and every Year thereafter, the Shareholders present personally or by Proxy shall elect Persons to supply the Places of the Directors then retiring from Office in Rotation, agreeably to the Provisions in the said "Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed or disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said "Companies Clauses Consolidation Act, 1845."

Quorum of Directors.

XIV. And be it enacted, That the Quorum of a Meeting of Directors shall be Five.

Committees of Directors.

XV. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three nor more than Seven, and the Quorum of such Committee shall be Three.

Committees not to make Calls.

XVI. And be it enacted, That such Committees shall not be empowered to make Calls for Money on the Shareholders.

Remuneration of Directors and Auditors.

XVII. And be it enacted, That the Remuneration of the Directors and also of the Auditors to be appointed under the Provisions of "The Companies Clauses Consolidation Act, 1845," shall from Time to Time be fixed by a General Meeting of the Company, and be paid out of the Funds of such Company.

First Meeting of Company.

XVIII. And be it enacted, That the first Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

Newspapers for Insertion of Advertisements.

XIX. And be it enacted, That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be One or more Papers circulating in the Counties of *Cork* and *Waterford*, and in the City of *London*.

Railways to be made according to deposited Plans.

XX. And whereas Plans and Sections of the intended Railways herein-after mentioned, showing the Lines and Levels thereof, and also Books of Reference thereto, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass, or which may be required to be taken for the Purposes of the Undertaking, have been deposited with the Clerks of the Peace of the Counties of *Cork* and *Waterford*, and with the Clerks of the Peace for the County of

of the City of *Cork* and County of the City of *Waterford*; be it enacted, That, subject to the Provisions in this and the said recited Acts contained, it shall be lawful for the said Company to make and maintain the said Railways and Works herein-after mentioned in the Lines and upon the Lands delineated on the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

First mentioned Line of Railway.

XXI. And be it enacted, That the first-mentioned of the said Railways shall commence in the Parish of *St. Ann's Shandon* in the Borough or County of the City of *Cork*, and shall pass through the following Places; (that is to say,) *St. Ann's Shandon, Ballinamought West, Ballinamought East, Lotabeg, Rathcooney*, Strand, Slob, or Tideway of the River *Lee, Lotamore, Dunkittle, Caherlaeg, Kilcoolishal, Castleview, Little Island, Ballyhennick, Courts Town, Ballynaroon, Lackenroe, Johnstown, Carigtohill, Killahora, Killacloyne, Anngrove, Terrysland, Gortnamucky, Carigtohill, Ballyadam, Carrigane Ballyrichardmore, Water Rock, Knockgriffin, Mogeesha, Broomfield East, Midleton, Townparks, Broomfield West, Park North, Killeagh, Roxborough, Inchinabacky, Clashduff, Stumphill, Ballynascarty, Ballyoughtera, Kilmountain, Ballycrenanbeg, Mogeely, Killamucky, Mogeely, Carrignashiny, Garranjames, Ballindinis, Ightermurragh, Ballyvorisheen, Ballindinis, Ballyquirk, Knocknaskeagh, Mount Bell, Ballycarnane, Ballymakeaghbeg, Ballymakeaghmore, Finisk, Clonpriest, Burgeslower, Inchiquin, Gortaroo, Coolnaclogha-finna, Coolaha, Beanfield, Ballyvergan West, Youghal, Kennel, Coolerenagh, Ballyvergan East, Summerfield, Ballyclamasy, Dysart, Seafield, Bawnmore, Youghal Lands, Magners Hill, Green Cloyne, Muckeridge* Demesne, Strand, and Tideway of the River *Blackwater, Foxhole* in the East Riding of the County of *Cork*, and *Tinnabinna* Strand and Tideway of the River *Blackwater, Clashmore, Ticknock, Shannacoole, Pilltown, Kinsalebeg, Glistinane, Toberagoole, Kilmaloo East, Lackendarra, Knockbrack, Kilmaloo* or *Clashganny, Kilgabriel, Clashmore, Coolbooa, Ballymultina, Knockanearis, Ballynure, Craggs, Curradarra, Aglish, Monagally West, Lackensillagh, Graigue, Ballycullane, Curraheen, Ballinaparka, Kilmolash, Clogh, Clogh Bog, Keereen Lower, Woodstock, Knocknaskagh Upper, Ballygambon Upper, Whitechurch, Clonkerdine, Cool, Ballymullalla West, Ross, Coolatoor, Lauragh, Ballingtaylor Lower, Knockmaon, Mountodell, Coolcormuck, Dungarvan, Carriglea, Kilmurry, Coolnagour, Ballygagin, Crawford, Kilrush, Ballyduffmore, Ballygagin, Garde, Mapestown, Luskanargid, Spring Marquis, Kilrush Marquis, Gallows Hill, Kilrush Power, Fair Lane, Parkeenaflugh, Shandon, Abbey Side, Clonanagh, Parkatluggera, Burgery, Tournore, Duckspool, Kilminnin North, Kilminnin South, Ballyrandle, Clonea, Ballinroad, Garrynagerah West, Lisheenoona, Garrynagerah East, Dunsallagh, Clonea Lower, Clonea Middle, Knockyoolahan West, Knockoolahan East, Ballyvoyle, Stradbally, Ballykerogebig, Kilrossanty, Shanacool, Knockadrumalea, Kilminin Lower, Curriheen, Scartacrooka, Carrickbarrahane, Carrickahilla, Graiguenageeha, Rathnaskilloge, Garranturton, Brenan, Ballylaneen, Carrick Castle, Ballylaneen, Carrickaready, Monksland, Ballyvadden, Ballynagigla, Ballyristeen Bog, Ballingarry, Kilbarrymeaden, Rathquage,*

Kilbarrymeaden, Kilbeg, Knockane, Kilsteague, Dunhill, Lissaviron, Lissaviron Bog, Dunhill, Castlecraddock Bog, Kilcannon, Dunhill Lodge, Islandikane, Ballygarran, Newtown, Ballyadam, Reisk, Monamelagh, Fennor North, Fennor South, Ballyscanlan, Islandtarsney South, Islandtarsney North, Carrickavantry, Coolnacoppoge, Drumcannon, Knockauduff, Ballycarnane, Carrickavantry South, Kilbride, Monloum, Monvoy, Crobally Upper, Ballydrislane, Pickardstown, Carriglong, Drumcannon, Ballynock, Ballykinsella, Duagh, Coolgower, Kilbarry, Ballindud, Ballyhoo, Lacken, Carrigroe, Kilcohan, Ballinakill, Ballytruckle, Saint John's Without, Saint Stephen's Without, Newtown, Trinity Without, Ballycourdra Manor, and the Slob and Tideway of the River *Suir*, in the County of *Waterford*; and shall terminate at or near the *Neptune* Iron Foundry in the Townland of *Newtown* in the Parish of *St. John's Without* in the Borough or City of *Waterford* in the County of *Waterford*.

As to the Commencement of Line of Railway.

XXII. And whereas an Act has been passed in the present Session of Parliament, for extending the Line of the *Great Southern and Western* Railway to the River *Lee* in the City of *Cork*, and the Line of Railway, as defined on the Plans and Sections deposited as aforesaid, would, if made from the Point of Commencement thereof, in the said City of *Cork*, shown on the said Plans, intersect on the Level in an objectionable Manner the Line of the said Extension of the *Great Southern and Western* Railway; for Prevention whereof, be it enacted, That the Line of Railway by this Act authorized to be made shall commence on the East Side of the Line of the said Extension of the *Great Southern and Western* Railway; that is to say, at or to the Eastward of a Field in the Parish of *Saint Annes, Shandon*, numbered 48 on the said Plans; and it shall not be lawful for the Company hereby incorporated, or for any Person or Persons on their Behalf, to purchase any Lands or to construct any Works to the Westward of the said Field, without the previous Consent in Writing of the *Great Southern and Western* Railway Company, and subject to such Terms, Conditions, and Regulations as they may see fit to impose.

Branch to Fermoy.

XXIII. And be it enacted, That the Branch Railway to *Fermoy* shall commence in the Townland of *Carrigtohill* in the Parish of *Carrigtohill* in the East Riding of the County of *Cork*, and shall pass through the following Places; that is to say, *Carrigtohill, Carigtohill Poulaniska, Ballyadam, Carrigane, Ballyrichardbeg, Curragh, Ballynaclashy, Ballycurranny, Killeagh, Lisgoold East, Lisgoold, Lisgoold North, Templenacarrigna North, Corbally South, Leadinton, Templenacarrigna, Ballencurrig, Templebodan, Reisk, Templebodan, Old Court Peafield, Caherduggan* Demesne, *Caherduggan East, Caherduggan, Gortroe Peafield, Ballyogaha West, Caherdesert, Desert, Curraghard, Mellefonts Town, Killawillin, Castle Lyons, Lissurla, Curraghphilibbode, Clykeel South, Hollyhill, Lackebeha East, Ballinterry, Clykeel North, Knockauduff, Rathcormack, Terramount, Loughapreaghaun, Mondaniel, Farran South, Corrin, Ballyoran, Farran North, Coolcarran Fermoy, Fermoy*, in the East Riding of the County of *Cork*, and shall terminate at or near the Town of *Fermoy* in the Townland of *Fermoy* in the Parish of *Fermoy* in the East Riding of the County of *Cork*.

XXIV. And

Branch to Tramore.

XXIV. And be it enacted, That the Branch Railway to *Tramore* shall commence by a forked Junction with and from and out of the said first-mentioned Railway, one of such Junctions to commence in the Townland of *Monvoy* in the Parish of *Drumcannon*, and the other of such Junctions to commence in the Townland of *Crobally* (*Upper*) and Parish of *Drumcannon* in the County of *Waterford*, and shall pass through the following Places; *Drumcannon*, *Crobally Upper*, and *Tramore East*, in the County of *Waterford*; and shall terminate in or near the Town of *Tramore* in the Townland of *Tramore* (*East*) in the Parish of *Drumcannon* in the said County of *Waterford*.

Gauge of Rail.

XXV. And be it enacted, That the said Railway shall be laid down and for ever thereafter maintained and kept at a Gauge of Five Feet Three Inches.

How Communications with the Waterford and Limerick Railway to be made.

XXVI. And whereas it is intended that the said Railway and Works hereby authorized to be made shall communicate with the *Waterford and Limerick* Railway; be it therefore enacted, That all Communication, between the said Railway hereby authorized to be made and the *Waterford and Limerick* Railway, and all Works in or upon the said *Waterford and Limerick* Railway, or upon the Property of the said *Waterford and Limerick* Railway Company, which may be necessary or convenient for effecting such Communication, shall be made under the Direction and Superintendence of the Engineer for the Time being of the *Waterford and Limerick* Railway Company, but at the sole Expence and Charges of the Company hereby incorporated.

Waterford and Limerick Railway not to be interfered with except as provided by this Act.

XXVII. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend to authorize or enable the Company hereby incorporated, in making, constructing, or maintaining the said Railway, to take or enter upon the Lands or Grounds belonging to the *Waterford and Limerick* Railway Company, or to alter, vary, or interfere with the said *Waterford and Limerick* Railway, or the Line or Levels or any of the Works thereof, further or otherwise than is hereby expressly authorized, without the Consent in Writing of the said *Waterford and Limerick* Railway Company in every instance for that Purpose first had and obtained.

Railway, &c. not to pass within Fifty Yards of Towers, &c. without Consent of the Ordnance Department.

XXVIII. And be it enacted, That nothing in this Act contained shall authorize or empower the said Company to carry the said Line of Railway, or Line of Deviation thereof, within the Distance of Fifty Yards of any of the Tower Batteries or Works of or belonging to Her Majesty, and under the Control or Management of the Board of Ordnance, without the Consent of the principal Officers of Her Majesty's Ordnance in Writing under their Hands first had and obtained for that Purpose.

As to Construction of the Railway near to the Tower in

XXIX. And be it enacted, That the said Railway and Works within the Parish of *Clonmel* in the Townland of *Belvelly* shall be so constructed that the opposite Face of the Embankment of the said Railway shall be in the same Plane with the Platform on the Top of the

Cork Harbour.

the Tower in *Cork* Harbour, and numbered 4 in the said Plans, and within Musket Range of the said Tower, to the Satisfaction of the Master General and principal Officers of Her Majesty's Ordnance, and under the Direction of the Commanding Royal Engineer for the Time being of that District.

Line of Railway, &c. not to pass within Twenty Yards of nearest Point of Barracks at Youghal.

XXX. And whereas it is indispensably necessary that the Barracks and other public Property belonging to Her Majesty, and under the Control or Management of the Board of Ordnance, should be preserved from Injury or Obstruction in consequence of the said Railway; be it therefore enacted, That nothing in this Act contained shall authorize or empower the said Company to carry the said Line of Railway or the Line of Deviation thereof within the Distance of Twenty Yards from the nearest Point of the Barrack Wall of Her Majesty's Barracks at *Youghal*, without the Consent of the principal Officers of Her Majesty's Ordnance, in Writing under their Hands, first had and obtained for that Purpose.

No Works to be constructed in the River Lea until the Sum of 10,000*l.* shall be deposited.

XXXI. And be it enacted, That it shall not be lawful for the said Company to construct any Portion of their said intended Railway or Works connected therewith along and upon the Slob or Bed of the said River *Lee* until the Sum of Ten thousand Pounds shall have been deposited with the Treasurer for the Time being of the Harbour Commissioners of the Port of *Cork*; and which Sum so to be deposited as aforesaid shall be expended by the said Commissioners in the necessary Works for widening the said River *Lee*, and in improving the Navigation thereof, such Works to be executed by the said Commissioners, within the Period of Two Years after the Receipt of the said Sum of Ten thousand Pounds, to the Satisfaction of the Lord High Admiral for the Time being of the United Kingdom of *Great Britain* and *Ireland*, or of the Commissioners for executing the Office of the Lord High Admiral.

Company not to deviate from their centre Line in the River Lea without Consent.

XXXII. And be it enacted, That in the Construction of the said Railway upon the Slob or Bed of the said River *Lee* as aforesaid, it shall not be lawful for the said Company to make any Deviation from the centre Line of the said intended Railway, as laid down and shown in the deposited Plan and Section thereof, without the Consent of the said Harbour Commissioners under their Common Seal first had and obtained.

A convenient Access to be afforded to the River Lea.

XXXIII. And be it enacted, That in the Construction of that Portion of the said Railway and Works proposed to be made along and upon the Slob or Bed of the said River *Lee*, the said Company shall afford, by means of Bridges or otherwise, to be erected at the Expence of the said Company, free and convenient public Access to the said River, at such Places as shall be determined on by the Harbour Commissioners of the Port of *Cork*, and that such Bridges or other Erections shall be always maintained and kept in repair by the said Company, and at their Expence.

A Swivel or Swing Bridge to be erected

XXXIV. And be it enacted, That a Swivel or Swing Bridge, to be approved of by the Lords Commissioners of the Admiralty or their Engineer,

Engineer, shall be constructed by the said Company, at their Expence, over that Portion of the *Glanmire* Channel where the said Railway is intended to cross, and that proper Superintendents shall be placed at such Bridge to manage and regulate the same, so that no unnecessary Hindrance or Impediment be experienced in navigating the said Channel; and that no Toll or Fee shall be demanded or paid in respect to the passing or repassing such Bridge by any Vessel navigating such Channel.

over the Glanmire Channel.

XXXV. And be it enacted, That the said first-mentioned Railway shall, so far and to such Extent as it shall pass through or over the Ploughland of *Kilcoolishal* in the Parish of *Caherlog*, and the Ploughland of *Wallinstown* and *Ballitrasna* in the Parish of *The Little Island* in the said County of *Cork*, the Property of *Warren Hastings Rowland Jackson*, Esquire, and any other Lands the Property of the said *Warren Hastings Rowland Jackson*, be made and formed in such Part of the same Lands respectively, within the Limits of Deviation from the Line of the same Railway shown in the said Plans so deposited with the said Clerks of the Peace as aforesaid, as shall be pointed out or prescribed and directed by the said *Warren Hastings Rowland Jackson* by some Writing under his Hand, to be addressed to the said Company, and delivered at the Office or Place of Business of the said Company within Three Calendar Months from the passing of this Act, and on no other Part of the same Land, provided such Deviation be practicable, and consistent with the working and using of the said Railway by Locomotives and otherwise.

As to Construction of Railway on the Lands of W. H. R. Jackson, Esq.

XXXVI. And be it enacted, That a proper and convenient Station shall be erected and at all Times thereafter kept up, either close to the Northern Extremity of the said Bridge, but to the East of that Extremity, or at a Distance of Five hundred Yards from the said Extremity, but still to the East of the same, at the Foot of the Bridge called the *Little Island* Bridge, opposite *Rocksgrove* in the County of *Cork*, and that Two Trains which shall pass each Way along the whole Line of the said first-mentioned Railway, or from End to End of such Portion of the same Line as for the Time being shall be completed, shall stop, between the Hours of Eight o'Clock in the Morning and Ten o'Clock at Night, at such Station, for the Purpose of taking up and setting down Passengers desirous of travelling from and to the same Station, such Passengers paying the usual Rate of Charges of Conveyance on the same Railway.

Company to erect a Station at Little Island Bridge.

XXXVII. And be it enacted, That in making the said Railway it shall be lawful for the Company to construct the said Railway across and upon the Level of the following presented Turnpike and public Carriage Roads; that is to say, a public Road crossed at or near the First Mile Three Chains on the Main Line, and being in the Townland of *Ballinamought West* in the Parish of *St. Ann's, Shandon;* also a public Road at or near the Fourth Mile Seventy-three Chains on the Main Line, and being in or near the Parish of *Little Island* or *Caherlag*, or one or both of them; also a public Road at or near the Eleventh Mile Fifty-eight Chains on the Main Line, in the Townland of *Water Rock* in the Parish of *Carrigtohill;* also a public Road at or

Power to cross certain Roads on the Level.

near the Twelfth Mile Fifty-two Chains on the Main Line in the Townland of *Townparks* in the Parish of *Midleton ;* also a public Road at or near the Seventeenth Mile Thirty-five Chains on the Main Line in the Townland of *Ballycrenan beg* or *Kilamucky*, or one or both of them, in the Parish of *Mogeely ;* also a public Road at or near the Twentieth Mile Fifty-eight Chains on the Main Line in the Townland of *Ballycarnane* or *Mountbell*, or one or both of them, in the Parish of *Killeagh ;* also a public Road at or near the Twenty-third Mile Fifty-two Chains on the Main Line in the Townland of *Gortaroo* in the Parish of *Clonpriest* in the County of *Cork ;* also a public Road at or near the Thirtieth Mile Seventy-seven Chains on the Mine Line in the Townland of *Pilltown* in the Parish of *Kinsale beg ;* also a public Road at or near the Thirty-third Mile Seventy-three Chains on the Main Line in the Townland of *Coolboa* in the Parish of *Clashmore ;* also a public Road at or near the Forty-second Mile Forty-one Chains on the Main Line in the Townland of *Coolatoor* or *Lauragh*, or one or both of them, in the Parish of *Whitechurch ;* also a public Road at or near the Forty-third Mile Thirty Chains on the Main Line in the Townland of *Knockmaon* in the Parish of *Whitechurch ;* also a public Road at or near the Forty-sixth Mile Fifty-two Chains on the Main Line in the Townlands of *Mapestown* or *Luskanargid*, or one or both of them, in the Parish of *Kilrush ;* also a public Road at or near the Forty-seventh Mile Twenty-nine Chains on the Main Line in the Townlands of *Shandon* or *Kilrush Power*, or one or both of them, in the Parishes of *Kilrush* or *Dungarvan*, or one or both of them ; also a public Road at or near the Forty-seventh Mile Fifty-seven Chains on the Main Line in the Townland of *Shandon* in the Parish of *Dungarvan ;* also a public Road at or near the Forty-eighth Mile Thirty-eight Chains on the Main Line in the Townland of *Burgery* in the Parish of *Dungarvan ;* also a public Road at or near the Forty-ninth Mile Thirty-seven Chains on the Main Line in the Townland of *Duckspool* in the Parish of *Dungarvan ;* also a public Road at or near the Seventieth Mile Nineteen Chains on the Main Line in the Townland of *Knockauduff* in the Parish of *Drumcannon ;* also a public Road at or near the Seventy-first Mile Three Chains on the Main Line in the Townland of *Monvoy* in the Parish of *Drumcannon ;* also a public Road at or near the Seventy-seventh Mile Thirty-nine Chains on the Main Line in the Parish of *St. Stephen's Without ;* also a public Road at or near the Seventy-seventh Mile Fifty-six Chains on the Main Line in the Parish of *St. Stephen's Without* in the Townland of *Newton* or Parish of *St. John's Without*, or one or all of them ; also a public Road at or near the Seventy-seventh Mile Sixty-three Chains on the Main Line in the Townland of *Newton* in the Parish of *St. John's Without ;* also a public Road at or near the Seventy-eighth Mile Three Chains on the Main Line in the Townland of *Newton* in the Parish of *St. John's Without* in the County of *Waterford ;* also a public Road at or near the Forty-third Chain upon the Branch to *Tramore* in the Townland of *Crobally Upper* in the Parish of *Drumcannon* in the County of *Waterford ;* also a public Road at or near the First Mile Sixty Chains upon the *Fermoy* Branch in the Townland of *Ballyrichard beg* in the Parish of *Carrigtohill ;* also a public Road at or near the Sixth Mile Fifty-three Chains upon the *Fermoy* Branch in the Townland of *Reisk* in the Parish of *Templebodan ;* also a public Road

Road at or near the Thirteenth Mile Seventy Chains upon the *Fermoy* Branch in the Townland of *Clykeel North* and *Knockauduff*, or one or both of them, in the Parishes of *Gortroe* and *Rathcormack*, or one or both of them; also a public Road at or near the Fourteenth Mile Twelve Chains upon the *Fermoy* Branch in the Townland of *Knockauduff* or *Loughapreagham*, or one or both of them, in the Parish of *Rathcormack*; also a public Road at or near the Fourteenth Mile Thirty-five Chains upon the *Fermoy* Branch in the Townland of *Loughapreaghaun* or *Terramount*, or one or both of them, in the Parish of *Rathcormack*; also a public Road at or near the Fifteenth Mile Forty-seven Chains upon the *Fermoy* Branch in the Townland of *Corrin* or *Farran North*, or one or both of them, in the Parish of *Castlelyons*; also a public Road at or near the Sixteenth Mile Seventy-two Chains upon the *Fermoy* Branch in the Townland of *Fermoy* in the Parish of *Fermoy* in the East Riding of the County of *Cork*.

Not to use Locomotive Engines on the Line of Railway leading to the Quay at Waterford.

XXXVIII. And be it enacted, That if the said Company make that Part of the said Railway leading to the Quay at *Waterford* so that the same cross a certain Highway numbered 27 on the said Plans, in the Townland of *Newtown* in the Parish of *Saint John's Without* in the County of the City or Borough of *Waterford*, on the Level, it shall not be lawful for the said Company to use any Locomotive Steam Engine thereon.

Railway to be carried over Lower Glanmire Road by a Bridge.

XXXIX. And be it enacted, That the said Company shall, at their Expence, and to the Satisfaction of the Wide Street Commissioners of the Borough of *Cork*, or their Architect or Surveyor, carry the said *Lower Glanmire* Road over the said Railway by means of a Bridge and Approaches, to be of the same Width as the present Road, and that the Approaches on either Side of the said Bridge shall, if required by the said Commissioners, not exceed One Foot Rise in every Forty Feet in Distance, and that the Roadway over the Arch of such Bridge shall be level, and that the transverse Section of such Roadway shall also in all Places present a perfect Level.

Company to erect a Wall or Fence next the Lower Glanmire Road.

XL. And be it enacted, That for such Distance as the said Railway shall be made and constructed upon the Slob or Bed of the said River *Lee* within the Municipal Boundary of the Borough of *Cork*, the said Company shall, at their Expence, and to the Satisfaction of the Wide Street Commissioners of the said Borough, or of their Architect or Surveyor, if required by the said Commissioners, build or erect a Wall or Fence of such Height and Proportions as shall be determined on by such Architect or Surveyor, at the Side of the said Railway next the *Lower Glanmire* Road, and that such Wall or Fence shall be always maintained and kept in repair by the said Company and at their Expence.

Company may divert certain Roads.

XLI. And be it enacted, That it shall not be lawful for the Company to construct the said Railway over or across the following Roads, or to alter the Levels thereof, but the Company shall and they are hereby required to divert the same on either Side of the Line of the said Railway, and so that such Diversion do not extend beyond the Limits

Limits of Deviation to the Line of the said Railway shown on the said Plans:

A Road numbered 16 on the said Plan, in the Townland of *Ballintaylor Lower* or *Knockaman*, or one or both of them, and in the Parish of *Whitechurch*:

Also a Road, No. 11 on the said Plan, in the Townland of *Clonea Lower*, and No. 7 in the Townland of *Knockyhoolaban West*, in the Parish of *Clonea*:

Also a Road, No. 6, in the Towland of *Shanacool*, and No. 4, in the Townland of *Knockadrummelea*, or one or both of them, in the Parish of *Stradbally*.

Land for extraordinary Purposes.

XLII. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Fifty Acres.

Compulsory Purchase of Lands limited.

XLIII. And be it enacted, That 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 Five Years from the passing of this Act.

Period for Completion of Railway, &c.

XLIV. And be it enacted, That after the Expiration of Seven Years from the passing of this Act all the Powers hereby granted to the Company for making the Railway hereby authorized, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Tolls:

XLV. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the said Railway not exceeding the following; (that is to say,)

Articles of Merchandize:

In respect of the Tonnage of all Articles conveyed thereon, or upon any Part thereof, and included with the following Classes:

Class 1.—For all Compost, Dung, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of 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; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Penny.

Class 2.—For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *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; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Penny:

Class 3.—For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Deals, 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; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding Two-pence:

Class 4.—For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Three-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding Two-pence:

Class 5.—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, *per* Mile not exceeding Sixpence; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Two-pence; and if propelled by an Engine belonging to the Company, a further Sum *per* Mile not exceeding Two-pence:

And the Sum of One Penny Half-penny *per* Mile for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton, which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding One Halfpenny *per* Mile for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton; and if propelled by an Engine belonging to the Company, a further Sum not exceeding One Halfpenny *per* Mile for every additional Quarter of a Ton, or fractional Part of a Quarter of a Ton.

On Animals, &c.

In respect of Animals conveyed in Carriages upon the Railway, as follows:

Class 6.—For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding Three-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the said Company, an additional Sum *per* Mile not exceeding One Penny:

Class 7.—For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing:

On Passengers.

In respect of Passengers conveyed in Carriages upon the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

Regulations as to the Tolls.

XLVI. And be it enacted, That 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 Railway for a less Distance than Six Miles the Company may demand Tolls and Charges as for Six Miles:

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges as for One 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 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 Articles of great Weight.

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

For the Carriage of small Parcels, (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the Company may demand any Sum which they may think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, 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 any Sum not exceeding Sixpence *per* Ton *per* Mile; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Four-pence; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding Three-pence:

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

Passengers Luggage.

XLVIII. And be it enacted, That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and fifty 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.

XLIX. And

Maximum Rates of Charges for Passengers.

XLIX. And be it enacted, That the maximum Rates of Charge to be made by the Company for the Conveyance of Passengers on the said Railway, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance, shall not exceed the following Sums:

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

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

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

Maximum Rates of Charges for Passengers from Waterford to Tramore, &c.

L. And be it enacted, That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers on the said Railway going from *Waterford* to *Tramore*, or *vice versâ*, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance, shall not exceed the following Sums:

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

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

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

Maximum Charges for Goods and Animals.

LI. Provided always, and be it enacted, That the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance, (except the loading and unloading of Goods, when such Service is performed by the Company,) shall not exceed the Amounts mentioned in the following Table; that is to say,

For the Matters herein-before mentioned under Class 1, not exceeding One Penny Halfpenny *per* Ton *per* Mile:

For the Matters mentioned under Class 2, not exceeding Two-pence *per* Ton *per* Mile:

For the Matters mentioned under Class 3, not exceeding Three-pence *per* Ton *per* Mile:

For the Matters mentioned under Class 4, not exceeding Four-pence *per* Ton *per* Mile:

For any Carriage mentioned under Class 5, not weighing more than One Ton, not exceeding Seven-pence *per* Mile; and if weighing more than One Ton, not exceeding Two-pence *per* Mile for every Quarter of a Ton, or fractional Part of a Quarter of a Ton, above One Ton:

For every Thing mentioned under Class 6, not exceeding Five-pence *per* Mile:

For every Thing mentioned under Class 7, not exceeding One Penny *per* Mile.

Restriction as to Charges not to apply to Special Trains.

LII. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Train that may be required to be run upon the said Railway,

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

Power to enter into Contracts with the Waterford and Limerick Railway Company.

LIII. And be it enacted, That it shall be lawful for the Company hereby incorporated and the *Waterford and Limerick* Railway Company to make and enter into Contracts or Agreements for constructing, working, and using the said Railways or any Part or Parts thereof respectively, or for the Maintenance and Repair thereof or any Part or Parts thereof respectively, as they the said Companies may respectively deem advisable; and every such Contract or Agreement may contain such Covenants, Clauses, Powers, Provisions, and Conditions as may be mutually agreed on between the said Companies; and any Contract or Agreement made before the passing of this Act for all or any of the Purposes aforesaid, by the Provisional Committee or Directors of the Company hereby incorporated, and the Directors of the said *Waterford and Limerick* Railway Company, under the Sanction of any General Meeting of the said last-mentioned Company, shall be as valid and binding in every respect as if made subsequently to the passing of this Act and in conformity with the Provisions hereof.

Saving Rights of the Corporation of Cork.

LIV. Provided always, and be it enacted, That nothing in this Act contained shall be construed to interfere with or in anywise affect any existing Right of the Body Corporate of the Borough of *Cork* to such Tolls and Dues as they are entitled to receive and have been accustomed to collect at the Time of the passing of this Act, but the same shall be enjoyed with as full and extensive Means of collecting and Recovery as they were before the Time of the passing of this Act.

For ascertaining Quantity of Goods liable to Toll brought within the Limits of the Borough of Cork.

LV. And whereas it is expedient to give the said Body Corporate the Means of ascertaining what Articles are brought from Time to Time by the said Railway within the Limits of the said Borough, liable to the Payment of Toll; be it therefore enacted, That it shall and may be lawful for the said Body Corporate to erect, if they shall so think fit, an Office or Toll-house convenient to and outside the Terminus of the said Railway, nearest to the said Borough, and to place therein a Collector or Person, who shall at all reasonable Times have full and free Access to the Terminus of the said Railway for the Purposes aforesaid, and to inspect the Bills of Lading of or Carriages conveying any such Goods; and any Officer or Servant employed by the said Company, who shall impede or obstruct any Collector or Person employed by the said Body Corporate in so inspecting the Bills of Lading, or in ascertaining the Number and Quantity of any such Articles brought by the said Railway within the Limits of the said Borough, shall for every such Offence forfeit to the said Body Corporate a Sum not exceeding Forty Shillings, to be sued for and recovered in the same Manner as other Penalties imposed by this Act; provided that nothing in this Act contained shall give or be construed to give to the said Body Corporate any such Right of Access or Inspection, or any other Right or Privilege whatsoever, except for the Purpose of collecting such Tolls as the said Body

Corporate shall, at the Time of the passing of this Act, be legally entitled to.

Saving the Rights of the Commissioners of Youghal Bridge.

LVI. Provided always, and be it enacted, That nothing in this Act, or in the said "Companies Clauses Consolidation Act, 1845," the "Lands Clauses Consolidation Act, 1845," and the "Railways Clauses Consolidation Act, 1845," hereby incorporated with and forming Part of this Act, or any of them, contained, shall lessen, abridge, or interfere with the Powers and Authorities vested in the Commissioners acting in execution of an Act made and passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Erection of a Bridge across the River* Blackwater *at or near* Foxhole *in the Town of* Youghal *in the County of* Cork *to the opposite Side in the County of* Waterford, *and for making the necessary Approaches thereto*, with respect to the Bridge erected under the said Act, and now called and known by the Name of *Youghal Bridge*; and, notwithstanding any thing in this Act or any of the said Acts contained, it shall not be lawful for the said Company to interfere with the said Bridge, or any of the Avenues or Approaches thereto, or Works and Property connected therewith or vested in the said Commissioners, or to make any Roads, Ways, or other Works in, over, or along any Part of the said Bridge, or any of the Property held by the said Commissioners in connection therewith, or in any Manner to interfere with the said Bridge, or the Avenues, Approaches, or the Works or Property belonging thereto, or to make any Bridge or Way across the said River *Blackwater*, except and upon such Terms and Conditions, under such Restrictions, and according to such Plans, Elevations, and Sections as shall be approved of and so signified by the Commissioners of Public Works in *Ireland*, in Writing under their Hands for that Purpose, and until the said Company shall have paid and discharged to the said Commissioners of Public Works a certain Mortgage Debt of Ten thousand Pounds Sterling, due to and now vested in the said last-mentioned Commissioners, with Interest thereon, or such Part thereof as the Lords Commissioners of Her Majesty's Treasury may think right and proper to demand, and so signify under their Hands, or the Hand of One of the Secretaries of the Treasury for the Time being.

9 G. 4. c. 53.

Commissioners of Youghal Bridge not to agree for Sale of same without Consent of Treasury.

LVII. And be it enacted, That it shall not be lawful for the Commissioners acting in execution of the said Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth, for the Erection of a Bridge across the said River *Blackwater*, to enter into or make any Agreement with the said Company for the Sale of the said Bridge, or the Right or Equity of Redemption which the said Commissioners have therein, without the Sanction of the Lords Commissioners of Her Majesty's Treasury first had and obtained for that Purpose.

Saving the Rights of the Crown.

LVIII. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorize the Company to purchase, take, or use any Land, Slob, or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time

Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which Consent such Commissioners, or any Two of them, are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., and 7 & 8 Vict. c. 85.

LIX. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company, so far as the same shall be applicable thereto.

Railway to be subject to Provisions of any future general Act.

LX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Public Act.

LXI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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