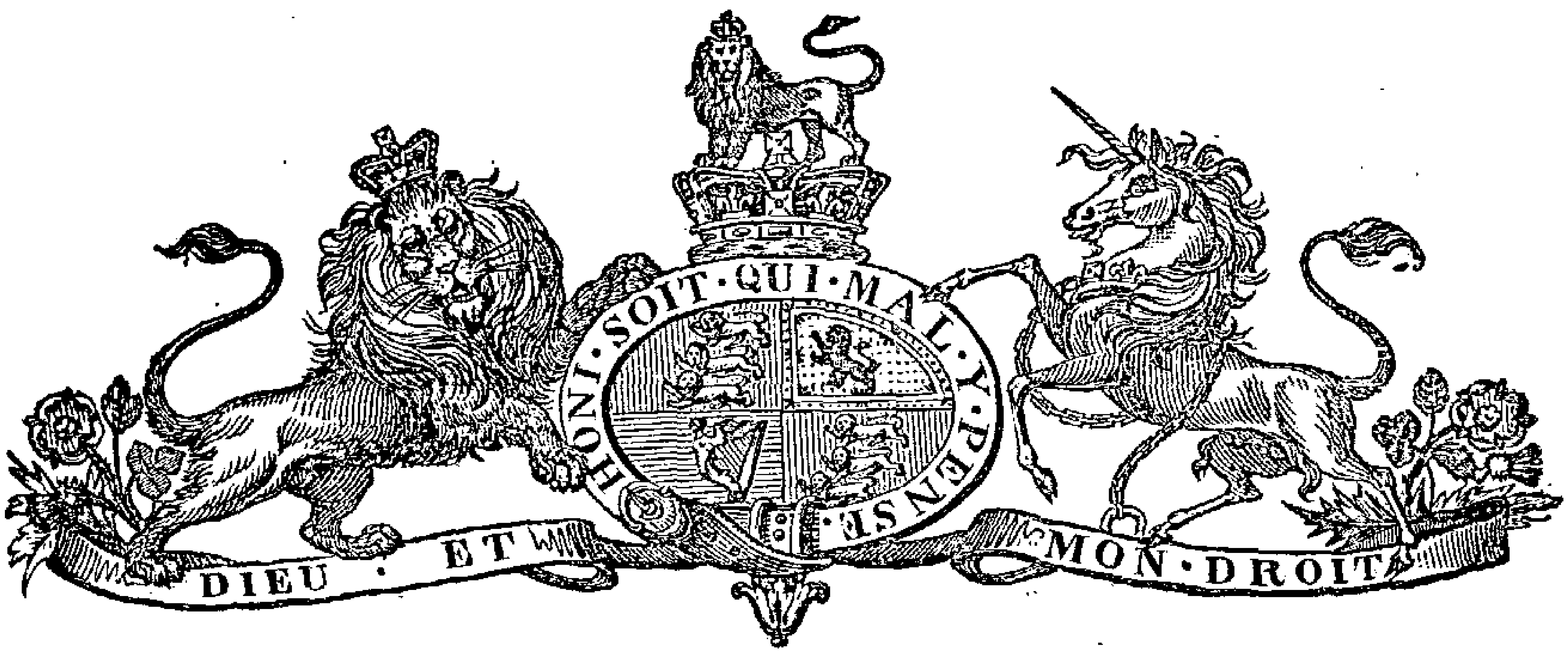


ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

****

Cap. lxxvi.

An Act to extend the Powers of the *Dundalk and Enniskillen* Railway Company for the Purchase of Lands and Completion of Works on Part of their Railway; and for other Purposes.

[29th *July* 1850.]

WHEREAS by the *Dundalk and Enniskillen* Railway Act, 1845, a Company was incorporated, by the Name of "The *Dundalk and Enniskillen* Railway Company," for the Purpose of making and maintaining a Railway from *Dundalk* in the County of *Louth* to *Enniskillen* in the County of *Fermanagh*, with Two Branches therefrom, and for other the Purposes therein mentioned; and it was by the said Act further enacted, that the Powers of the Company for the compulsory Purchase of Lands for the Purposes of that Act should not be exercised after the Expiration of Three Years from the passing of that Act, and that the said Railway should be completed within Five Years from the passing of that Act; and that on the Expiration of such last-mentioned Period the Powers by that Act or the therein-recited Acts granted to the said Company for executing the said Railway, or otherwise in relation thereto, should cease to be exercised, except as to so much of the said Rail- 8 & 9 Vict. c. 96.

way as should then be completed: And whereas the Commissioners of Railways, by virtue of the Provisions of an Act passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, and intituled *An Act to give further Time for making certain Railways*, duly extended the Periods limited by the said firstly-recited Act for the Completion of the said Railway and Works, and for the compulsory Purchase of Lands for that Purpose, for the further Term of Two Years from the Expiration of the said Periods allowed by the said first-mentioned Act: And whereas by "The *Dundalk and Enniskillen* Railway Act, 1847," it was enacted, that the Capital of the said Company should be Four hundred and fifty thousand Pounds, that the Number of Shares into which such Capital should be divided should be Fifteen thousand, and that the Amount of each Share should be Thirty Pounds: And whereas it is expedient that the Capital of the said Company should be reduced, by the Extinction of One thousand four hundred and forty Shares in respect of which the Subscribers have not paid any Calls to the Company, and that the Period now limited for the compulsory Purchase of certain Lands, and for the Completion of certain Parts of the said Railway, should be further extended, and that the Provisions of the said recited Acts should be amended in the Manner herein-after mentioned; but the 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, That all the Provisions contained in "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845" respectively, shall be incorporated with and form Part of this Act.

11 & 12 Vict. c. 3.

10 & 11 Vict. c. 65.

Provisions of 8 & 9 Vict. cc. 16. 18. & 20. incorporated with this Act.

II. And whereas by the said Companies Clauses Consolidation Act, 1845, it is enacted, that if any Shareholder residing in *Scotland* should fail to pay the Amount of any Call in respect of any Share held by him, it should be lawful for the Company to proceed against him in *Scotland* in manner provided by the "Companies Clauses Consolidation (*Scotland*) Act, 1845:" And whereas no Means are provided for the Recovery of a Call from a Party in *Scotland* who at the Time of the making of such Call was not residing in *Scotland*: Be it therefore enacted, That the Provisions of the "Companies Clauses Consolidation (*Scotland*) Act, 1845," shall, so far as relates to the Rights, Remedies, Liabilities, and Proceedings of the Company in *Scotland*, with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls, be incorporated with and form Part of this Act.

Certain Provisions of 8 & 9 Vict. c. 17. incorporated with this Act.

III. And

Short Title.

III. And be it enacted, That in citing or mentioning this Act in other Acts of Parliament, and in all legal and other Instruments and Proceedings whatsoever, it shall be sufficient to use the Expression, "The *Dundalk and Enniskillen* Railway Act, 1850."

Amount of Capital and Number of Shares.

IV. And be it enacted, That from and after the passing of this Act the Capital of the Company shall be Four hundred and six thousand eight hundred Pounds, and the Number of Shares into which such Capital shall be divided shall be Thirteen thousand five hundred and sixty, and the Amount of each Share in the same Capital shall be Thirty Pounds, anything in the said recited Acts or either of them contained to the contrary notwithstanding.

Extinguishment of certain Shares.

V. And be it enacted, That the One thousand four hundred and forty Shares in the Capital of the Company numbered respectively in arithmetical Progression from Number Thirteen thousand five hundred and sixty-one to Number Fifteen thousand, both of these Two last-mentioned Numbers inclusive, shall be and the same are hereby absolutely extinguished.

Power of borrowing.

VI. And be it enacted, That it shall be lawful for the Company to borrow, for the Purposes of this Act and the said recited Acts, on Mortgage or Bond, any Sum not exceeding in the whole One Third Part of the Amount of the Capital for the Time being of the Company, anything in the said recited Acts or either of them contained to the contrary notwithstanding; but no Part of such Sum shall be borrowed unless or until the whole of the said herein-before mentioned Capital of Four hundred and six thousand eight hundred Pounds has been or shall have been subscribed for, and unless or until One Half Part of the said last-mentioned Capital has been or shall have been actually paid up.

Company to make out Maps, &c., of the Lands required.

VII. And whereas the said Railway has been completed from *Dundalk* in the County of *Louth* to *Castleblayney* in the County of *Monaghan*, and it is expedient, for the Purpose of employing the Poor in the District traversed by the authorized Line of the said Railway, that the Company should be empowered to enter into possession simultaneously of all the Land required for the Purposes of the said Railway from *Castleblayney* aforesaid to *Ballibay* in the said County of *Monaghan*, by the said firstly-recited Act authorized to be taken by the Company, and the Company are willing to proceed with the Construction of the whole of the said Portion of the said Railway, without Delay, upon obtaining Possession of the Lands which are necessary for that Purpose, and which are specified or mentioned in the Schedule to this Act annexed: Be it therefore enacted, That it shall be lawful for the Company to cause to be made out, and to be signed by

by their Engineer and Secretary, Maps and Schedules of all or any of the Lands specified or referred to in the said Schedule, and which are required by the Company for the Purposes of the said last-mentioned Portion of the said Railway and Works, and for the Purchase whereof the Company shall not have contracted prior to the passing of this Act, together with the Names of the Owners or reputed Owners, Lessees, and Occupiers of the said Lands respectively, so far as the same can be reasonably ascertained, with Estimates of the gross annual Value and Value in Fee thereof respectively (taking into consideration Damage by Severance, and any other Matters by "The Lands Clauses Consolidation Act, 1845," required to be considered, if necessary,) of all such Lands respectively; and every such Map shall be upon a Scale of not less than One Inch to every Two hundred Feet; and all Lands, Buildings, Yards, and Court Yards, and Lands within the Curtilage of any Building, and Ground cultivated as a Garden, shall be marked thereon with distinct Numbers corresponding with the Numbers marked upon the Parliamentary Plans of the said Railway, and shall have put thereon a distinct Valuation to each Number; and the Company shall deposit such Maps, Schedules, and Estimates at the Office of the Commissioners of Public Works in the City of *Dublin*, and a Copy of such Maps, Schedules, and Estimates with the Clerk of the Peace of the County of *Monaghan;* and such Clerk of the Peace is hereby required to retain the said Documents in his Custody, and to permit all Persons interested to inspect the same, and to make Copies and Extracts of and from the same, in the like Manner and upon the like Terms, and under the like Penalty for Default, as is provided by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace to take the Custody of such Documents as shall be directed to be deposited with them by the Standing Orders of either House of Parliament.*

7 W. 4. & 1 Vict. c. 83.

Commissioners to appoint an Arbitrator to consider the Valuations.

VIII. And be it enacted, That the said Commissioners shall from Time to Time appoint an Arbitrator to consider and settle such Valuations or any of them, and for other the Purposes of this Act; and they may from Time to Time remove any such Arbitrator, and may appoint any other Arbitrator in the Place and Stead of any Arbitrator who shall die or shall be so removed as aforesaid, and shall determine what Salary or Remuneration, and travelling or other Expenses, for himself, or for any Clerks or Assistants whom he may find it necessary to employ, shall be paid to every such Arbitrator so appointed as aforesaid.

Expenses of the Commissioners to be borne by the Company.

IX. And be it enacted, That as well the Salary or Remuneration, travelling and other Expenses, of every such Arbitrator as aforesaid, as also all other Costs, Charges, and Expenses, if any, which shall be incurred

incurred by the said Commissioners, or by any of their ordinary Officers, in carrying the Provisions of this Act into execution, shall be paid by the Company; and the Amount of such Costs, Charges, and Expenses shall from Time to Time be certified by the said Commissioners, after first hearing any Objections that may be made to the Reasonableness of any such Costs, Charges, and Expenses, by any Person or Persons authorized on behalf of the Company; and it shall be lawful for the Commissioners from Time to Time to require the Company to deposit any Sum or Sums of Money, or to give such other Security for the Payment of any such Costs, Charges, and Expenses, as to the said Commissioners shall seem fit; and every Certificate of the said Commissioners certifying the Amount of any such Costs, Charges, and Expenses shall be taken as Proof in all Proceedings at Law or in Equity of the Amount of such respective Costs, Charges, and Expenses, and the Amount so certified shall be a Debt due from the Company to the Crown, and shall be recoverable accordingly.

When Maps, &c., approved by Arbitrator, to be deposited.

X. And be it enacted, That such Arbitrator shall consider such Valuations as may be referred to him by the said Commissioners, and may, at his sole Discretion, alter or vary the same, and may call for such further Information relating thereto as he shall think fit; and so soon as the said Arbitrator shall from Time to Time have signified in Writing his Approval and Sanction of any such Maps, Schedules, and Estimates deposited as aforesaid, or any Part thereof, the Company shall proceed to deposit Copies of so much of the said Maps, Schedules, and Estimates, so approved of as aforesaid, as relates to each Parish in which any of the said Lands specified in the Schedule to this Act annexed shall be situate, with the Clerk of the Poor Law Union comprising such Parish; and thereupon the Company shall publish a Notice once in the "*Dublin Gazette*," and once in each of Three successive Weeks in some one and the same Newspaper circulated in the said County of *Monaghan*; and every such Notice shall state the Time and Place of depositing such Copies of such Maps, Schedules, and Estimates with the Clerk of such Union, and the Sanction and Approval of the said Maps, Schedules, and Estimates by the said Arbitrator, and shall require all Persons claiming to have any Right to or Interest in the said Lands required for the Purposes of the said Railway in such Parish to deliver to the Company, on or before a Day to be named in such Notice (and which Day shall not be earlier than Thirty-one Days from the Date of the Insertion of the last of such Newspaper Notices), a short Statement in Writing of the Nature of such Claim or Right, and a short Abstract of the Title on which the same shall be founded, such Statement and Abstract to be paid for by the Company.

Certificate of Value to be delivered by Company.

XI. And be it enacted, That, within Thirty Days from the Delivery of every such Statement and Abstract as aforesaid, the Company shall, when it shall appear to them that the Party so claiming as aforesaid is absolutely entitled to the Land claimed by him, deliver to such Party, on Demand, a Certificate under the Company's Seal stating the Amount of the Valuation approved by the said Arbitrator as aforesaid; and where it shall appear to the Company that there are different Estates or Interests existing in the same Land, not created by any or by the same Deed or legal Instrument, then the Company shall apportion the Amount of their said Valuation according to such different Estates or Interests, and shall deliver, on Demand, to each Party claiming such different Estates or Interests as aforesaid, a Certificate under the Seal of the Company stating the Valuation of the Estates or Interest to which such Party so claiming as aforesaid is in the Opinion of the Company entitled; and where more Land than is included in One Number shall be claimed by the same Party, such Land, and the Valuations thereof or of the Estates or Interests therein, may be included in One Certificate, if the Company shall think fit; and every such Certificate as aforesaid shall be prepared by and at the Costs of the Company.

When Amount mentioned in Certificates paid to Parties on Demand, or to Trustees, or into Court of Exchequer in Ireland, Company may take possession.

XII. And be it enacted, That when and so soon as the Company shall have paid to the Party to whom any such Certificate as aforesaid shall have been given, or to Trustees, or into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, in the Cases herein-after mentioned, the Amount of Monies specified to be payable by such Certificates to the Party to whom or in whose Favour such Certificate shall be given, his Executors, Administrators, or Assigns, it shall be lawful for the Company from Time to Time to enter upon any Lands in respect of which such Certificate shall have been given, and thenceforth to hold the same in Fee, discharged of all Estates and Interests whatsoever of any Person or Body whomsoever.

Receipts duly stamped to operate as a Conveyance.

XIII. And be it enacted, That in every Case in which any Monies shall be paid on any such Certificate as aforesaid the Party receiving such Monies shall give to the Company a Receipt for the same, and such Receipt shall have the Effect of a Grant, Release, and Conveyance of all the Estate and Interest of such Party, and of all Parties claiming under or through him, in the Lands in respect of which such Monies shall have been paid, provided such Receipt shall have an *ad valorem* Stamp duly impressed thereon, denoting the Payment of the full and proper *ad valorem* Stamp Duty which would be payable upon or in respect of a Deed of Conveyance of such Estate or Interest made in consideration of the like Amount of Purchase Monies mentioned in such Certificate (but exclusive of the Amount paid for

Severance and consequential Damages), every such Receipt to be prepared by and at the Costs of the Company.

If Parties making Claim are deemed not entitled, or shall be under Disability, or if Title shall not be satisfactorily deduced, Monies to be paid to Trustees or into Court.

XIV. And be it enacted, That if it shall appear to the Company, from any such Statement and Abstract as aforesaid or otherwise, that the Party making any such Claim as aforesaid is not absolutely entitled to the Land, Estate, or Interest in respect of which such Claim shall have been made, or shall be under any Disability, or if the Title to such Land, Estate, or Interest shall not be deduced to the Satisfaction of the Counsel of the Company, then and in every such Case the Amount of such Valuation as aforesaid, or of any Monies to be recovered on any Traverse as after mentioned, or payable in respect of any Judgment or Execution as after mentioned, exceeding Twenty Pounds, shall, on Request of any Party claiming any Interest in the Land included in such Valuation or any Part thereof, or without such Request if the Company shall think fit, be paid as follows; (that is to say,) if the same shall exceed Twenty Pounds and shall not amount to Two hundred Pounds, the same shall either be paid into the Bank or to Two Trustees, who shall be nominated and shall apply the Money so paid to them in the Manner in that Behalf provided by "The Lands Clauses Consolidation Act, 1845;" and if the same shall amount to or exceed Two hundred Pounds, then the same shall be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, in all respects as by "The Lands Clauses Consolidation Act, 1845," is provided in Cases of Sales by Parties under Disability; and all Monies paid into the Bank under this present Power shall be dealt with in all respects as if the same had been paid into the Bank in pursuance of the Provisions of the said last-mentioned Act, on a Sale of such Lands by a Party under Disability as defined by the same Act; and every such Sum not exceeding Twenty Pounds may be paid and applied to the Party who, under the said "Lands Clauses Consolidation Act, 1845," would be entitled to receive the same in case the Lands in which he was entitled to any Estate or Interest had been taken under the Powers in the "Lands Clauses Consolidation Act, 1845," contained.

Where no Claim made, or Parties refuse to accept same, certified Money to be paid into Court.

XV. And be it enacted, That when the Company shall be desirous of taking possession of any Land under the Provisions in this Act contained, and no Claim shall have been made in respect thereof, or of some particular Estate or Interest therein, within the Time hereinbefore prescribed for making such Claim, or if any Party to whom any such Certificate shall be given or tendered shall refuse to receive such Certificate, or to accept the Amount therein specified as payable to him, then and in either of such Cases the Company shall pay the Amount of such Valuation either of the Fee or of any other Estate

or

or Interest therein not claimed for as aforesaid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, in like Manner as is by the "Lands Clauses Consolidation Act, 1845," provided in Cases where Lands are taken possession of on no Title being shown; and the Amount so paid into the said Bank shall be accordingly dealt with as by the said Act is provided.

Nothing to prevent Company requiring further Evidence of Title, at their Costs.

XVI. And be it enacted, That nothing herein-before contained shall prevent the Company from requiring any further Abstract of Title or Statement respecting any Land included in any such Valuation as aforesaid, in addition to the Abstract or Statement herein-before mentioned, if they shall think fit, so as any such further Information be obtained at the Costs of the Company.

Parties dissatisfied with Amount of Valuation may enter a Traverse at Assizes.

XVII. And be it enacted, That it shall be lawful for every Person lawfully claiming any Interest in any Monies so paid to Trustees or into the Bank of *Ireland* as aforesaid, who shall be dissatisfied with the Amount of the Valuation of the Land in respect of which such Monies shall be so paid to Trustees or into the Bank of *Ireland* as aforesaid, or of any Interest therein, at the Assizes next following the Payment of such Monies to Trustees or into the Bank of *Ireland*, as the Case may be, or at the next subsequent Assizes, upon giving Ten Days Notice in Writing previously to such Assizes respectively to the Secretary of the Company of the Amount of Compensation or Damages intended to be claimed, to have a Traverse for Compensation or Damages entered in the "Crown Book" in respect of such Claim by him; and therefrom such Traverse shall be tried in like Manner, and like Proceedings shall be had thereon, and the same shall be subject to such like Provisions, as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of public Monies by Grand Juries in *Ireland:* Provided always, that the Sum to be awarded or allowed as the Costs, Charges, and Expenses of the Trial of every such Traverse for Compensation or Damages shall in no Case exceed the Sum of Twenty Pounds; and further, that no Party shall have any other Remedy for the Purpose of ascertaining the Amount of the Value of any Land to be taken under the Powers herein-before in this Act contained, or of impeaching the Amount of the Valuation put thereon as aforesaid, other than by means of such Traverse as aforesaid, anything in any of the aforesaid Acts, or any Acts incorporated therewith, or in this Act, to the contrary notwithstanding.

Verdict on Traverse to have Effect of Judgment.

XVIII. And be it enacted, That in every such Traverse as aforesaid the Verdict of the Jury therein shall be entered of Record in the Court

Court of Queen's Bench in *Ireland*, and shall be and be deemed to be a final Decision, and binding upon all Parties interested, and shall have the Effect of a Judgment in an Action at Law obtained in the said Court of Queen's Bench in *Ireland*, against the Company or other Party against whom the Verdict shall be given, and may be enforced by like Remedies against or by the Company or other Party as in the Case of Judgments in Actions at Law, by all Parties interested therein; and in every Case in which a Verdict for such Compensation or Damages shall be given in respect of any Land the Amount of the Valuation of which shall have been paid to Trustees or into the Bank of *Ireland*, then, if the Amount of such Compensation or Damages shall be less than the Amount paid to Trustees or into the Bank of *Ireland*, the Company shall, if the Money has been paid into the Bank, on a summary Application by Petition, be entitled to receive the Difference between the Amount of such Compensation or Damages and the Amount of the Monies paid into the Bank; and if the Amount has been paid to Trustees the Company shall be entitled to receive on Demand, and, in default of Payment on Demand, to recover by Action at Law, in any Court of competent Jurisdiction, from such Trustees, the Difference between the Amount of such Compensation or Damages and the Amount so paid to such Trustees; but if the Amount of the Compensation or Damages shall exceed the Amount of the Monies paid to Trustees or into the Bank of *Ireland*, as the Case may be, then the Difference between the Amount so paid and the Compensation or Damages shall, at the Costs of the Company, be paid to the same Trustees or into the Bank of *Ireland*, as the Case may require; and the Payment of such Difference to the same Trustees or into the Bank of *Ireland*, as the Case may require, and the Payment of any Costs payable by the Company in respect of any such Traverse, shall be a good Discharge to the Company on the Verdict in the Nature of a Judgment as aforesaid; and in either of the Cases aforesaid a Receipt under the Hands of such Trustees for the Amount paid to them, or (as the Case may be) under the Hand of the Accountant General of the Court of Exchequer in *Ireland*, for the Amount paid into the Bank of *Ireland*, after adding or deducting (as the Case may require) the Difference between the Amount of such Compensation or Damages and the Amount originally paid to such Trustees or into the Bank, as the Case may be, shall (if duly stamped as herein-before directed in the Case of Receipts given for Monies paid to Persons on Certificates as aforesaid) have the Effect of a Release or Conveyance of the Interests of all Parties who entered such Traverse, and of all Parties claiming under them in the Lands affected by such Traverse.

Lands for extraordinary Purposes.

XIX. And be it enacted, That it shall be lawful for the Company to take and hold any Land which they are authorized to take for extra-

extraordinary Purposes, subject and according to the Provisions of this Act, and as if they were Part of the Land herein-before authorized to be taken by the Company.

Period within which Lands may be taken.

XX. And be it enacted, That the Powers by the said firstly herein-before recited Act granted to the Company for the compulsory Purchase of Land for the Purposes of the said Railway shall (as far as regards the Lands and Hereditaments mentioned or referred to in the Schedule to this Act annexed) be further extended, and may be exercised during the Period of Three Years from the passing of this Act, but not afterwards.

Period for the Completion of Works.

XXI. And be it enacted, That the Powers by the said firstly-recited Act granted to the Company for making and completing the said Railway between *Castleblayney* and *Ballibay* aforesaid, and the Works thereto belonging, shall be and is hereby further extended: Provided always, that the said Powers for making and constructing the said Railway shall on the Expiration of Three Years from the passing of this Act cease, except as to so much of the said Railway as shall be then completed.

Parties aggrieved by theExtension of Time may have Compensation.

XXII. Provided always, and be it enacted, That the Justices, Arbitrator, Arbitrators, Umpires, Company, Commissioners, or Jury, as the Case may be, who under the Provisions of the said recited Acts or this Act shall estimate or value any Land, or shall award or assess the Compensation or Damages to be made or paid by the Company to the Owner or Occupier of or other Person interested in any Land which shall be taken or used for the Purposes of the said Railway or Works by virtue of the Provisions of this Act, or which may be injuriously affected by the Construction of the said Railway and Works in pursuance of this Act, shall, in estimating the Value of the same, or the Amount of such Compensation or Damages, have regard to and award Compensation for the additional Damage (if any) which may be sustained by such Owner, Occupier, or other Person by reason of the Extension of Time for the compulsory Purchase of Lands by this Act granted.

Contracts not to be affected.

XXIII. Provided also, and be it enacted, That the Extension of Time for the compulsory Purchase of Lands granted by this Act shall not in anywise prejudice or affect any Contract entered into or Notice given by the Company before the passing of this Act, for purchasing, taking, or using any Land which under the said recited Acts or either of them the Company is entitled to purchase, take, or use, but every such Contract or Notice respectively shall be construed and take effect, and the same Proceedings may be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect

respect thereof, both at Law and in Equity, as if no such Extension of Time had been granted by this Act.

Deposit for future Bills not to be made out of Company's Capital.

XXIV. And be it enacted, That the Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being in force, may be required to be deposited, in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any Railway or execute any other Work or Undertaking.

Justices if interested not to act.

XXV. And be it enacted, That it shall not be lawful for any Justice of the Peace to act as a Justice under any of the Provisions contained in or incorporated with this Act in any Matter in which he shall be directly or indirectly interested, or in which he shall act as the Receiver, Manager, Bailiff, or Agent of or for any Person being so interested.

Former Acts as amended to be construed as One Act.

XXVI. And be it enacted, That the said "*Dundalk and Enniskillen* Railway Act, 1845," as amended by the "*Dundalk and Enniskillen* Railway Act, 1847," and by this Act, and also the said "*Dundalk and Enniskillen* Railway Act, 1847," as amended by this Act, are One Act, and shall be carried into execution accordingly.

Construction of Terms.

XXVII. And be it enacted, That in the Construction of this Act, and the several Enactments incorporated herewith, the Expression "General Meeting" shall be construed to mean a General Meeting of the Shareholders of the Company; and the Word "prescribed," used in reference to any Matter that shall be construed to refer to such Matter as the same shall be prescribed or provided for by the Regulations for the Time being of the Company, and the Sentence in which such Word occurs shall be construed as if, instead of the Word "prescribed," the Expression "prescribed for that Purpose by the Regulations for the Time being of the Company" had been used; and the Word "Share" shall mean a Share in the Capital for the Time being of the Company: Provided always, that no such Expressions or Words shall have or bear such Meaning or Construction when it is otherwise provided by this Act, or in any Case in which there shall be anything, whether in the Subject Matter or Context, or otherwise, inconsistent with or repugnant to such Meaning or Construction as aforesaid.

Railways to be subject to the Provisions of

XXVIII. 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 Mails by Railway*; and another Act was passed in

1 & 2 Vict. c. 98. 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57., 105.

in the Fourth Year of the Reign of Her Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her 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 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;* and Two other Acts were passed in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways:* Be it enacted, That anything in this Act contained shall not be held to exempt the said Railway or the Company from the Provisions of such several Acts respectively, but such Provisions shall be in force in respect of the said Railway and the Company so far as the same are applicable.

Railway not exempt from Provisions of future general Acts.

XXIX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act or by the said recited Acts.

Expenses of Act.

XXX. And be it enacted, That all Costs, Charges, and Expenses attending the passing of this Act or incident thereto shall be paid by the Company, or the Directors thereof, out of any Monies being in their Hands at the passing thereof, or out of the first Monies which shall subsequently come to their Hands, in preference to all other Payments whatsoever.

Public Act.

XXXI. 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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SCHEDULE to which the foregoing Act refers.

The whole of the Lands authorized to be taken for the Purposes of the Dundalk and Enniskillen Railway in the several Townships, Townlands, and other Places following; that is to say, Drummillard Little, Moraghy, and Killycard, in the Parish of Muckno; Muldrumman, Modeese, Corrinshigo, Grig, Killycrom, Tony Glassan, Tattyreagh South, Brackagh, Devlin, Corryloan, Coolmannan, Doohamlat, Tonyscallan, Clonaneor, and Rausker, in the Parish of Clontibret; Cornamore, in the Parish of Tullycorbet; and Aughnamullen, Terrygreeghan, Drummaurice, Drumgrole, Knocknamaddy, Cornamucklaglass, Corkeeran, and Derrynaloobinagh, in the Parish of Ballibay: And also the Lands authorized to be taken for the Purposes of the said Railway, which in the Parliamentary Plans of the said Railway deposited with the Clerks of the Peace are numbered 1, 2, 3, 4, 5, 6, 7, 8, 13, 14, 15, and 16, in the Townland of Drummillard Little in the Parish of Muckno; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29, in the Townland of Moraghy in the Parish of Muckno; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, in the Townland of Killycard in the Parish of Muckno; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 19*a*, 20, 21, 22, 23, 24, and 25, in the Townland of Muldrumman in the Parish of Clontibret; 1, 2, 2*a*, 3, 4, 5, 6, 7, 8, 9, 10, 10*a*, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, in the Townland of Modeese in the Parish of Clontibret; 1, 2, 3, 3*a*, 4, 5, 6, 7, in the Townland of Corrinshigo in the Parish of Clontibret; 1, 2, 3, in the Townland of Grig in the Parish of Clontibret; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 11*a*, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, in the Townland of Killycrom in the Parish of Clontibret; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, in the Townland of Tonyglassan in the Parish of Clontibret; 1, 3, 2, 3*a*, 4, 5, 6, 7, 8, 9, 13, 10, 12, 11, 16, 17, 18, 24, 25, 23, 20, 14, 21, 22, 26, 27, 28, 19, 15, in the Townland of Tattyreagh South in the Parish of Clontibret; 1, in the Townland of Brackagh in the Parish of Clontibret; 1, 1*a*, 2, 3, in the Townland of Devlin in the Parish of Clontibret; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, in the Townland of Corryloan, Parish of Clontibret; 1, 2, 3, 4, 5, 6, 7, 7*a*, 8, 8*a*, 9, 9*a*, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, in the

Townland of Coolmannan in the Parish of Clontibret; 1, 2, 3, in the Townland of Doohamlat in the Parish of Clontibret; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 47*a*, 48, 48*a*, 49, 50, 51, 52, 53, 55, 56, in the Townland of Tonyscallan in the Parish of Clontibret; 1, 2, 3, 4, in the Townland of Clonaneor in the Parish of Clontibret; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 10*a*, 11, 12, 13, 14, 15, 16, in the Townland of Rausker in the Parish of Clontibret; 1, 2, 3, 4, 5, 6, 7, in the Townland of Cornanure in the Parish of Tullycorbet and Aughnamullen; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, in the Townland of Terrygreeghan in the Parish of Ballibay; 5, 6, 7, 8, 9, 10, 12, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, in the Townland of Dunmaurice, in the Parish of Ballibay; 1, 2, 3, 4, 5, 6, in the Townland of Drumgrole in the Parish of Ballibay; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, in the Townland of Knocknamaddy in the Parish of Ballibay; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, in the Townland of Cornamucklaglass in the Parish of Ballibay; 1, in the Townland of Corkeeran in the Parish of Ballibay; 28, 29, 30, 31, 32, 33, 34, 35, 36, in the Townland of Derrynaloobinagh in the Parish of Ballibay.

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