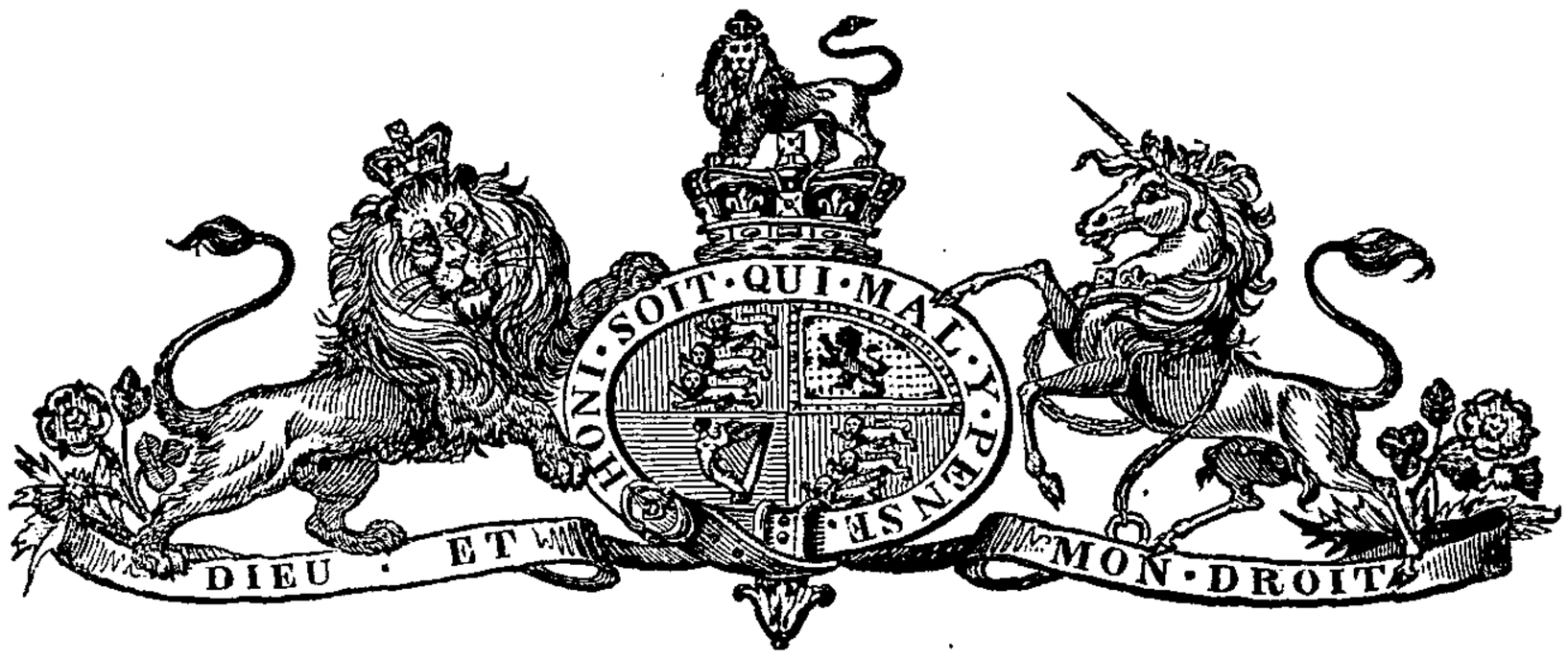


ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

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13 & 14 Vict. c. 17.

passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, and having the Short Title of "The *Londonderry and Coleraine* Railway Acts Amendment, 1850," whereby the Provisions of the said recited Acts were altered and amended, and the Periods for the compulsory Purchase of Lands, and for the Completion of the said Railway, Branch Railway, and Works, were extended: And whereas under the Provisions of the said Acts a Railway has been made, and is now or shortly will be opened to the Public, from the City of *Londonderry* to the Town of *Newtownlimavady*, and considerable Sums of Money have been expended in the Construction of certain other Portions of the said Railway between the said Town of *Newtownlimavady* and the Town of *Coleraine:* And whereas the Share Capital authorized to be raised by the said Company consists of the Sum of Five hundred thousand Pounds, the whole of which has been subscribed or taken, and of which the Sum of Two hundred and fifty-nine thousand seven hundred and eighty-two Pounds Sixteen Shillings and Tenpence has been paid up: And whereas, in addition to the said Share Capital, the said Company was authorized to borrow on Mortgage or Bond a further Sum of One hundred and sixty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence, of which the Sum of Nineteen thousand Pounds has been borrowed: And whereas the said Company has expended on the Objects and Purposes by the said several Acts authorized the Sum of Two hundred and seventy-seven thousand five hundred and seventy-nine Pounds Twelve Shillings and Ninepence, and under the Provisions of the secondly-recited Act a preferential Right of Dividend to the Extent of Five Pounds *per Centum per Annum* hath been granted or confirmed in respect of a Portion of the Capital of the said Company not exceeding Two hundred and fifty thousand Pounds: And whereas it is expedient that the said Company should be empowered to raise the necessary Funds and to subscribe towards the Construction of a new Bridge over the River *Foyle* at *Londonderry*, for the Purpose of connecting the said Railway with the *Londonderry and Enniskillen* Railway, and thereby facilitating the Intercourse between various Towns in the North of *Ireland*, and also to enter into Contracts with the Persons or Corporation in whom the Control and Management of the new Bridge may be vested, for the Passage over and along the same of any Engines, Carriages, and Waggons belonging to the said Company: And whereas the Formation of a new Line of Quay at the City of *Londonderry*, and of a Tramway thereon, would be attended with great public Advantage, and would materially increase the Traffic on the said Railway, and it is therefore expedient that the said Company should also be empowered to raise the necessary Funds and to subscribe towards the Construction of the said new Line of Quay and Tramway, and to enter into such Arrangements as may be necessary for the Transit

of

of Passengers, Goods, Wares, and Merchandise to, from, and upon the said Railway, Quay, and Tramway: And whereas it is expedient that certain of the Provisions of the said recited Acts should be explained and amended or enlarged, and that the Capital of the Company should be regulated, and it would be attended with Convenience if the said Acts so to be amended as aforesaid, and with such further Powers as aforesaid, were consolidated into One Act; but the several Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Recited Acts repealed.

I. From and after the passing of this Act, "The *Londonderry and Coleraine* Railway Company," incorporated as herein-before mentioned, shall be and the same hereby is dissolved, and the several Acts relating to the said Company herein-before recited shall be and the same are hereby repealed.

Saving of Rights.

II. Nothing in this Act contained shall extend in any way to defeat, affect, or prejudice any Rights, Privileges, Liberties, Powers, Accommodations, or Exemptions, not herein-after specified and reserved or otherwise expressly provided for by this Act, which, under or by virtue of the said repealed Acts or any of them, were given, granted, continued, or reserved to or for the Benefit of any Persons or Corporations whose Estates, Properties, or Interests are, have been, or may be in anywise affected in or by the making of or maintaining or otherwise on account of the Undertaking by the same Acts respectively authorized to be made and maintained, or to which such Persons or Corporations are or may be, or but for the Repeal of the said Acts would have been, otherwise entitled, under or by virtue of such Acts or any of them, and which Rights, Privileges, Liberties, Powers, Accommodations, or Exemptions were subsisting or capable of being exercised at the Time of the passing of this Act, but all such Rights, Privileges, Liberties, Powers, Accommodations, and Exemptions shall be and they are hereby declared to be as valid and effectual as if the said Acts were not repealed, and such several Persons and Corporations shall be entitled to and shall have, use, and enjoy the same Rights, Privileges, Liberties, Powers, Accommodations, and Exemptions, and such and so many of them, as immediately before the passing of this Act they were entitled to have, use, and enjoy, as freely and effectually as if the said Acts had not been repealed, and shall and may have and be entitled to such or the like Powers or Remedies upon and against the Company, for securing the Possession, Use, and Enjoyment of such Rights, Privileges, Accommodations, and

Exemptions,

Exemptions, as under the Provisions of the said repealed Acts they had or might have been entitled to against the Company hereby dissolved in case the said Acts had not been repealed, and all such Penalties, Damages, Monies, Costs, and Expenses as under the Provisions of the said repealed Acts or any of them would or hereafter might have become payable to or recoverable by such Persons and Corporations as aforesaid of and from the Company hereby dissolved, in case the same Acts had not been repealed, shall and may be payable by and recoverable from the Company hereby incorporated, in such Manner and by such Ways and Means, except where otherwise provided for by this Act, as the same are respectively made payable and recoverable under the Provisions of the said repealed Acts.

Provisions of 8 & 9 Vict. cc. 16. 18. & 20. and 14 & 15 Vict. c. 70. incorporated with this Act.

III. Except where otherwise provided in this Act or in "The Railways (*Ireland*) Act, 1851," "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Railway Clauses Consolidation Act, 1845," and "The Railways (*Ireland*) Act, 1851," shall be incorporated with and shall form Part of this Act.

Re-incorporation of Londonderry and Coleraine Railway Company.

IV. From and immediately after the passing of this Act, the several Persons and Corporations who at the Time of the passing thereof were Proprietors of Shares in the Company hereby dissolved, and all other Persons and Corporations who shall hereafter subscribe towards the Undertaking of the Company, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making, completing, maintaining, and working the Railway and other Works authorized to be constructed, completed, maintained, and worked by the said repealed Acts and this Act, and which are herein-after referred to as the Undertaking of the Company; and for the Purposes aforesaid, and subject to the Powers and Authorities by this Act conferred, shall be incorporated by the Name of "The *Londonderry and Coleraine* Railway Company," and by that Name shall be a Body Corporate, and have a Common Seal, with perpetual Succession, and shall have Power to purchase, hold, sell, and dispose of Lands for the Purposes of or in relation to the said Undertaking; and the Common Seal of the Company hereby dissolved shall continue to be the Common Seal of the Company hereby incorporated, unless and until the same be altered pursuant to the Powers in that Behalf conferred on the Company.

Defining the Undertaking of the Company.

V. The Undertaking of the Company shall consist of the Railway and Branch Railway, Tramways, Piers, Wharves, Quays, Roadways, Lands, Buildings, Stations, Property, and Works, and the Appurtenances thereto respectively belonging, which at the Time of the passing of this Act were vested in, acquired by, or authorized to be acquired,

acquired, constructed, completed, and maintained by the Company hereby dissolved, and which are as follows; (that is to say,)

First, a Main Line of Railway commencing at or near the Bridge over the River *Foyle* at *Londonderry* in the Township of *Clooney* in the City and County of *Londonderry*, and terminating in the Townland of *Waterside* at the Western Extremity of the Bridge over the River *Bann* near to the Town of *Coleraine* in the said City and County of *Londonderry*:

Secondly, a Branch Railway commencing by a Junction with the Main Line of Railway at or near the River *Broharris* on certain Land reclaimed from *Lough Foyle*, and known as *Robertson's Reclamation* or the *Myroe Level*, and terminating at or near the Town of *Newtownlimavady* in the said City and County of *Londonderry*:

Thirdly, the Estate and Interest of the said Company of and in the Waste Lands, Mud Banks, and Slobs of *Lough Foyle* situate in the said City and County of *Londonderry*, which have been acquired by the said Company, under the Powers and Provisions of the said repealed Acts or some or One of them, from the Undertakers named or referred to in an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for draining and embanking certain Lands in* Lough Swilly *and* Lough Foyle, *in the Counties of* Donegal *and* Londonderry, and in the several Acts passed respectively in the Sixth and Seventh and Ninth and Tenth Years of the Reign of Her present Majesty, whereby the Provisions of the last-mentioned Act were altered, amended, and enlarged.

Railways, &c. vested in new Company.

VI. All the said Railway, Branch Railways, Tramways, Piers, Wharfs, Quays, Roadways, Lands, Buildings, Stations, Property, Works, and Appurtenances, and all such Estate and Interest of and in the said Waste Lands, Mud Banks, or Slobs as aforesaid, and all Rents, Tenements, Rights, Privileges, Exemptions, and Real Estate whatsoever, and all Right of Action, and all Personal Estate and Effects whatsoever, which were respectively vested in, or belonged to, or were capable of being exercised or enjoyed by, the said Company hereby dissolved, immediately before the passing of this Act, shall from and after the passing of this Act be and become vested in, and belong to, and be available for and to the Company hereby incorporated, in the same Manner and to the same Extent as they were vested in, and belonged to, or were available for and to the Company hereby dissolved.

Grants, Conveyances, Contracts,

VII. All Gifts, Grants, Conveyances, Leases, Assignments, Assurances, Purchases, Sales, Titles by Possession or otherwise, Covenants, Contracts,

&c. to continue in force.

Contracts, Agreements, Rents, Annuities, Debts, Mortgages, Bonds, Securities, Liabilities, Verdicts, Judgments, Decrees, Orders, Processes, Awards, Consents, Approvals, Certificates, Notices, and other Matters and Things made, executed, entered into, acquired, obtained, issued, incurred, made payable, served, published, or given to, with, from, by, upon, in favour of, against, or in reference to the Company hereby dissolved, shall from and after the passing of this Act be as good, valid, and effectual upon or in favour of or against or in reference to the Company hereby incorporated as the same respectively were good, valid, or effectual immediately before the passing of this Act upon or in favour of or against or in reference to the Company hereby dissolved; and the Company hereby incorporated shall be considered identical with the Company hereby dissolved, in reference to all such Matters, as well as in reference to all other Transactions of and Matters relating to the said dissolved Company.

Actions, &c. not to abate.

VIII. No Action, Suit, Prosecution, Appeal or Notice of Appeal, Arbitration, Submission, Order or Decision, Distress, Execution, or other Decision whatsoever, commenced, carried on, levied, given, or made by, against, or in reference to the said dissolved Company, previously to the passing of this Act, shall abate or be discontinued or annulled or prejudicially affected by this Act, but, on the contrary, the same shall continue and take effect in favour of or against or in reference to the Company hereby incorporated, in the same Manner in all respects as the same would have continued and taken effect in favour of or against or in reference to the said dissolved Company if this Act had not been passed; and all Penalties incurred by or for any Offence against the Provisions of the said hereby repealed Acts or any of them, or against any Byelaw or Regulation of or concerning the said dissolved Company, previously to the passing of this Act, shall and may be sued for, proceeded for, and recovered, and all Offences which may have been committed before the passing of this Act against the Provisions of the said repealed Acts or any of them, or any such Byelaws or Regulations, may be prosecuted, in such or the like Manner, to all Intents and Purposes, as the same might have been sued for and prosecuted respectively if this Act had not been passed, the Company hereby incorporated being in reference to the Matters aforesaid in all respects considered identical with the Company hereby dissolved.

Rights of Action saved.

IX. Nothing in this Act contained shall be held to prejudice or affect any Right or Cause of Action or Suit, or any Remedy, which the Company hereby dissolved had against any Person or Corporation, or which any Person or Corporation had against the Company hereby dissolved, at the Time of the passing of this Act, but all such Rights, Causes, and Remedies may be enforced or prosecuted by or against the

the Company hereby incorporated in like Manner and within the same Periods as the same might have been enforced or prosecuted by or against the Company hereby dissolved if this Act had not been passed.

Act not to affect Resolutions, &c. of Meetings of Proprietors, Directors, &c.

X. Nothing in this Act contained shall be held or construed to annul, prejudice, or affect any Resolution or Order of any Meeting of the Proprietors of the Company hereby dissolved, or of the Directors or of any Committee of the Directors of the same Company, nor any Call, Notice of Call, Register of Shareholders, Shareholders Address Book, Register of Transfers, Shares, Mortgages, Bonds, Books of Account, or other Register or Book whatsoever of or relating to the said Companies or any of them, but all such Resolutions and Orders, Calls, Notices, Registers, and Books respectively shall, notwithstanding the passing of this Act, continue in full Force and Effect, and be applicable to the Company, in like Manner and to the like Extent as they would have continued and been applicable to the Company hereby dissolved if this Act had not been passed.

Monies belonging to Incorporations or Persons to be applied according to the Provisions of the Acts under which Purchases made.

XI. In all Cases in which any Sum of Money has been already paid by the Company hereby dissolved into any Bank, or to any Trustee or Trustees, on account of the Purchase of any Land or Interest therein, or for any Compensation or Satisfaction, or on any other Account, such Sum, or the Stocks, Funds, or Securities in or upon which the same has been or shall be invested, and the Interest, Dividends, and annual Produce thereof, shall be applied and disposed of pursuant to the Act or Acts under which the same has been so paid into such Bank, or to such Trustee or Trustees as aforesaid, or pursuant to the Act or Acts under which the same would have been applied and disposed of if this Act had not been passed; and all the Clauses, Provisions, Powers, and Authorities contained in such Act or Acts respectively in relation to such Monies, Stocks, Funds, and Securities, and the Interest, Dividends, and annual Produce thereof, shall for the Purposes of this Act remain in full Force.

Present Officers, &c. continued until removed.

XII. All Arbitrators, Valuers, Umpires, Surveyors, Receivers of Tolls or Rates, Constables, and also all Auditors, Officers, Clerks, Servants, and other Persons whatsoever, appointed by or for or relating to the Company hereby dissolved, at the Time of the passing of this Act, shall continue in and hold their respective Appointments, Offices, and Employments, according to the Terms and Conditions thereof, until the Determination thereof, or until the Removal therefrom by the Company, or otherwise in due Course of Law; and all such Arbitrators, Umpires, Valuers, Surveyors, Receivers, Constables, Officers, Auditors, Clerks, Servants, and others shall have the same Duties, Powers, Privileges, and Advantages, and shall be liable to the same Responsibilities, Penalties, Obligations, Restrictions, and Regulations,

tions, as if they had been appointed under this Act; and all Acts, Matters, and Things made, done, and permitted by them in their respective Appointments, Offices, and Employments before the passing of this Act shall be as good, valid, and effectual, to all Intents and Purposes, and shall have reference to the Company hereby incorporated, in the like Manner and to the like Extent as they would have been good, valid, and effectual, and had reference to the Company hereby dissolved, if this Act had not been passed.

Officers under former Acts to account.

XIII. All Officers and Persons who on the passing of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or any Effects, under or by virtue of any of the said repealed Acts, relating to the Company hereby dissolved, shall account for and deliver up all such Money, Books, Documents, Papers, Writings, or other Effects to the Company hereby incorporated, or to such Persons as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had been appointed and had become possessed of such Money, Books, Documents, Papers, Writings, or other Effects under the Provisions of this Act.

Existing Byelaws to remain in force.

XIV. All Byelaws, Rules, and Regulations which immediately before the passing of this Act were in force upon, concerning, or in respect of the Undertakings of the Company hereby dissolved, or any of them, shall after the passing of this Act continue to be in full Force and Effect upon, concerning, or in respect of the Undertaking of the Company hereby incorporated, subject nevertheless as the same may be specially repealed or altered by this Act, or in conformity with any Power by this Act or any other Act granted or to be granted.

Saving Rights of Shareholders to unpaid Dividends and Interest.

XV. All Dividends and Interest which had accrued or were accruing to the Proprietors of Shares or Stock in the Company out of the Funds of the Company at the Time of the passing of this Act, and which shall not have been previously paid to them, shall be paid to such Proprietors, notwithstanding the Repeal by this Act of the Act or Acts under which the same had accrued or were accruing.

Books, &c. to be Evidence.

XVI. All Share Registers and other Registers, Books, Decrees, Verdicts, and other Matters of Record and Documents whatsoever, and all Byelaws, Rules, and Regulations, and all certified and other authenticated Copies or Extracts of or from Registers, Books, Records, Documents, Byelaws, Rules, and Regulations, made, kept, recorded, certified, and authenticated under or in pursuance of the several Acts hereby repealed, and which by any or either of such Acts or otherwise were made Evidence or authorized to be given in Evidence, shall, notwithstanding the Repeal of such Acts, and the Dissolution

Dissolution and Re-incorporation by this Act of the *Londonderry and Coleraine* Railway Company, be admitted as Evidence in all Courts of Law and elsewhere, as fully and effectually as the same respectively would or might have been admitted if this Act had not been passed.

Deposited Plans, &c. to remain with Clerks of the Peace, &c., and to be open to Inspection.

XVII. The several Maps, Plans, Sections, and Books of Reference which prior to or in pursuance of the said repealed Acts or any of them have been deposited with any Clerks of the Peace of the Counties to which the same relate, or with the Clerks of the Unions in which any Parishes and Places to which the same also relate are situate or adjoining, or with any other Persons, shall remain in the Custody of the said Clerks of the Peace, Clerks of Unions, and other Persons respectively, to the end that all Persons interested in any Manner therein may at all reasonable Times have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom, at their Pleasure, such Persons paying to such Clerks of the Peace, Clerks of Unions, and other Persons from whom such Inspection or Copies or Extracts may be demanded respectively such Fee or Fees as may be legally payable; and the said Maps, Plans, Sections, and Books of Reference, or any Copy thereof respectively, or of so much thereof respectively as shall relate to any Matter which may be in question, certified to be a true Copy by the respective Clerks of the Peace, Clerks of Unions, and other Persons who have made the same, shall be admitted as Evidence in all Courts of Law or elsewhere, as fully and for all the like Intents as if this Act had not been passed.

Capital.

XVIII. The Capital of the Company shall consist of the said Sum of Five hundred thousand Pounds authorized to be raised in Shares under the Provisions of the first-recited Act, and of the further Sum of Fifteen thousand Pounds, the additional Capital herein-after mentioned, required for the Purpose of enabling the Company to contribute towards the Construction of a new Bridge, Quays, and other Works at *Londonderry* aforesaid, and the same shall be applied only towards carrying all or any of the Purposes of the Company into execution.

Capital issued to be divided as at present.

XIX. With respect to such Part of the said Capital as hath already been created or issued, the same shall, until otherwise determined on, under the Provisions of this Act, continue to be divided into Shares of the Amount heretofore determined on by the said dissolved Company.

Shares to vest in the Proprietor of Shares of

XX. Every Person and Corporation who immediately before the passing of this Act was possessed of or entitled to any Share or Shares in the Capital of the Company hereby dissolved shall in respect thereof

the dissolved Company.

thereof be possessed of or entitled to the like Number of Shares of equal Amount in the Capital of the Company hereby incorporated, and such Shares are hereby vested in such Persons and Corporations accordingly, and shall confer on the Holders thereof the same Rights and Interests as they would have enjoyed in respect thereof if this Act had not been passed, save in so far as such Rights or Interests may be expressly altered by this Act.

Certificates of old Shares to apply to the new Shares.

XXI. The Certificates of the Shares created under the Powers of the several Acts hereby repealed, and which shall be existing at the Time of the passing of this Act, shall, until called in, continue to be Certificates of the Shares created by this Act in substitution of such former Shares, and it shall not be necessary or required for the Company to issue fresh Certificates in respect of such Shares, except under the Provisions of "The Companies Clauses Consolidation Act, 1845," in Cases where such Certificates shall be worn out or damaged, or lost or destroyed; but the Company may, if they think fit, at any Time call in such Certificates, and grant others in lieu thereof.

New Shares to be subject to the same Trusts as old Shares.

XXII. All Persons and Corporations in whom any of the said Shares are or may be vested as aforesaid shall stand and be possessed thereof upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances, as the Trusts, Powers, and Provisions, Declarations and Agreements, Charges and Incumbrances, upon and to which the Shares held by them in the Capital of the dissolved Company, and for which such Shares in the Capital of the Company hereby incorporated was or were substituted, was or were held, or was or were subject and liable, immediately before the passing of this Act.

Calls paid upon former Shares to be considered as paid upon the substituted Shares.

XXIII. All Sums of Money which at the Time of the passing of this Act shall have been called up and paid, or called up but not paid, for or on account of any Shares in the Capital of the Company hereby dissolved, shall be considered as having been called up and paid, or called up and not paid, (as the Case may be,) for or on account of the Shares in the Company hereby incorporated which shall be substituted for such former Shares by virtue of this Act; and all Rights and Remedies to or in respect of any Shares in the Capital of the Company hereby dissolved, on which Shares any Call shall remain unpaid at the Time of the passing of this Act, or which Shares shall have been forfeited for the Nonpayment of Calls, or otherwise affecting any such Shares, and whether such Rights and Remedies were Rights and Remedies of the Holders or Persons interested in such Shares or of the said Company hereby dissolved, shall continue and be applicable to the Shares which shall be substituted for such former Shares by virtue of this Act, such substituted Shares being considered in all

respects, with reference to such Rights and Remedies, as identical with the Shares for which they were substituted.

Power to subscribe towards a new Bridge over the River Foyle at Londonderry.

XXIV. It shall be lawful for the Company to subscribe towards the Construction of a new Bridge across the River *Foyle*, and of a new Line of Quay and Tramway thereon, to be used in connexion with the said Railway, all at the City of *Londonderry*, any Sums of Money not exceeding in the whole Fifteen thousand Pounds, and, with the Consent of Three Fifths of the Shareholders of the said Company at a General Meeting convened for that Purpose, to raise the said Sum of Fifteen thousand Pounds by the Creation of new Shares of such Amount and to be allotted and apportioned to such Persons and in such Manner as may have been already agreed upon, or as may be determined by Order of any General Meeting of the Company specially convened for the Purpose; and it shall be lawful for the Company, if they shall think fit, with the Consent of Three Fifths of the Shareholders present at a General Meeting by themselves or by Proxy, to guarantee Dividend or Interest upon such Shares at a Rate not exceeding Six Pounds *per Centum per Annum*.

Power to enter into Contracts for the Use of the Bridge, Quay, &c.

XXV. It shall be lawful for the Company from Time to Time, with the previous Consent and Approbation of the Lords of the Committee of the Privy Council for Trade, to be signified in Writing under the Hand of their Secretary or other authorized Officer for the Time being, to enter into Contracts with the Persons or Corporations in whom the Control and Management of the said Bridge, Quay, Tramway, and Works may be vested, for the Use thereof, and for the Passage over and along the same or any or either of them of any Engines, Carriages, or Waggons belonging to the Company, upon the Payment of such Tolls and under such Conditions and Restrictions as may be mutually agreed upon.

Power to appoint Persons to attend and vote at Meetings of the Trustees of the new Bridge.

XXVI. In the event of the Company contributing towards the Construction of such new Bridge as aforesaid, it shall be lawful for the Company under their Common Seal to appoint One or more Person or Persons, whether or not Shareholders in the Company, to attend and vote upon their Behalf at any Meeting of the Trustees or other Persons or Corporation in whom the Control and Management of the said Bridge may be vested as aforesaid, and the Person or Persons so appointed shall and may attend any such Meeting for the Purposes aforesaid, any Law or Usage to the contrary notwithstanding.

Calls.

XXVII. The greatest Amount of any One Call which the Company may make on Shares after the passing of this Act shall be One Fifth Part of a Share, and Three Months at least shall be the Interval between

between successive Calls, and the aggregate Amount of Calls to be made in any Year upon any One Share shall not exceed Four Fifths of the Amount of such Share.

Power to Directors to agree with Shareholders for Surrender of their Shares, instead of forfeiting the same.

XXVIII. The Directors, in Cases where in their Opinion any Shares, if sold, would not produce a sufficient Sum to discharge the Arrears of Calls thereon, or in any other Cases where they may deem it for the Advantage of the Company, may agree, if authorized to do so by Three Fifths of the Shareholders present at a Special Meeting of the Company called for the Purpose of considering such Agreement, with the Proprietors thereof, for the Sale or Surrender of them to the Company, on such Terms as the Directors shall think fit, and after such Sale and Surrender the Shares so sold or surrendered shall merge in and form Part of the Capital of the Company.

As to Shares surrendered on Terms.

XXXIX. In all Cases where after the passing of this Act the Company, or the Directors thereof acting under the Authority of a General Meeting of the Company, may agree with the Holders of any Shares for the Surrender or Forfeiture of such Shares in respect of which Calls may be in arrear at the Time of such Agreement, the Shares forfeited or surrendered in pursuance of such Agreement shall be deemed and taken to be lawfully surrendered or forfeited in like Manner as though such Forfeiture had taken place by the Vote of a Meeting of Proprietors after due Notice, as required by "The Companies Clauses Consolidation Act, 1845," and such Shares shall as from the Date of such Agreement be deemed to have merged in the Capital of the Company.

Forfeited Shares which cannot be sold may merge into the Company.

XXX. In all Cases where any Share or Shares shall have prior to the passing of this Act been or hereafter shall be forfeited, and such Forfeiture has been confirmed at a General Meeting of the Company hereby dissolved, or shall be confirmed at a General Meeting of the Company hereby incorporated, according to the Provisions of "The Companies Clauses Consolidation Act, 1845," and Notice of such Forfeiture shall have been or shall be given to the Owner of the Share or Shares forfeited, by Letter from the Secretary of the Company hereby dissolved or from the Secretary of the Company hereby incorporated, (as the Case may be,) either delivered to such Owner, or sent by Post to or left at his Place of Abode or Business as described in the Shareholders Address Book, the Directors of the Company, if they shall be unable to sell the said Shares for a Sum equal to the Arrears of Calls and Interest due in respect thereof, may declare the same to be merged in the general Capital Stock of the Company, and the same shall thenceforth merge accordingly in the said Capital; and a Declaration in Writing made by some credible Person not interested before any Justice of the Peace, stating that a

Sum

Sum of Money sufficient to pay the Arrears of Calls and Interest in respect of such Shares could not be obtained for the same at the Time of such Merger, shall be *primâ facie* Evidence of the Facts therein stated, and the Proprietor of such Share or Shares shall from and after the making of such Declaration be precluded from all Right, Title, or Interest therein.

Company may issue new Shares in lieu of Shares merged in the Company.

XXXI. The Company may from Time to Time, with the Approbation of Three Fifths at least of the Votes of the Proprietors present in Person or by Proxy at any General Meeting of the Company specially convened for that Purpose, re-issue Shares which may be surrendered, or which have been or may be forfeited and merged as aforesaid, upon such Terms, and in such Manner, and with such preferential Rights as by such Meeting shall be determined: Provided always, that the Rate of Interest which may be guaranteed upon such Shares shall not exceed Six Pounds *per Centum per Annum*: Provided also, that any Shares which may be re-issued under the Powers lastly herein-before contained shall be entitled to the same Priority as regards the Payment of any preferential Interest or Dividend as the Shares in lieu of which they may be created: Provided also, that the full Value of any Shares representing the additional Capital by this Act authorized to be raised which may be surrendered or forfeited, and merged in the Capital Stock of the Company, and re-issued under the Powers of this Act, shall not exceed the total Amount remaining unpaid upon the Shares so surrendered or forfeited and merged as last aforesaid.

Order of Dividends.

XXXII. The Revenues and Income of the Company applicable to the Payment of Interest or Dividends upon Shares or Stock in the Capital of the Company shall be applied in the Order following; (that is to say,)

Firstly, in Payment of the preferential Interest or Dividend which has been agreed to be paid on the Shares created under the Authority of the said repealed Acts:

Secondly, subject to such Payment, in Payment of such preferential Interest or Dividend as may be agreed to be paid upon any Shares in the Capital of the Company which may be created pursuant to the Provisions of this Act:

Thirdly, subject to such First and Second Payments respectively, in Payment of Dividends to the Holders of the remaining Shares in the Capital of the Company *pari passu*, and according to the Amounts paid on such Shares.

Former Grants of Preference not to be prejudiced.

XXXIII. No Preference or Priority in the Payment of Interest or Dividend which may be granted in respect of any Shares in pursuance hereof, nor anything in this Act contained, shall prejudice or affect any

any Priority or Preference in Payment of Interest or Dividend on any other Shares which may have been granted by the Company hereby dissolved, by or in pursuance of or which may have been confirmed by any Act of Parliament prior to the passing of this Act, or which may otherwise be lawfully subsisting.

Interest not to be paid on Calls paid up.

XXXIV. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital of the Company; nevertheless, nothing herein contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him on the Amount of the Calls already made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," contained.

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

XXXV. The Company shall not, out of any Money by this Act or by 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, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Power to borrow on Bond, &c.

XXXVI. The Company may borrow on Bond or Mortgage of their Undertaking any Sum or Sums which, together with the Sums already borrowed under the Provisions of the said repealed Acts, shall not exceed in the whole One hundred and sixty-six thousand six hundred and sixty-six Pounds, being One Third of the said Capital of Five hundred thousand Pounds; and all Monies which may have been borrowed or may hereafter be borrowed by the Company shall be applied only towards carrying all or any of the Purposes of the Company into execution.

Act not to affect Validity of existing Loans, &c.

XXXVII. Nothing herein contained shall extend to prejudice the Rights and Interests of the present Mortgagees of the Company, or be held or construed to affect the Validity of any Mortgage or Bond on the Undertakings of the Company hereby dissolved which shall be subsisting at the Time of the passing of this Act, but all such Mortgages or Bonds shall while they subsist continue as if this Act had not been passed, the Company hereby incorporated being in respect of such Mortgages and Bonds substituted for or considered identical with the Company hereby dissolved.

XXXVIII. The

Priority of existing Mortgages.

XXXVIII. The Mortgages and Bonds already granted by the said Company, and all Renewals thereof, shall, according to the Tenor and Effect thereof respectively, have Priority over all Mortgages and Bonds to be granted after the passing of this Act.

Mortgagees to rank equally.

XXXIX. The respective Holders of any Mortgages, Bonds, or other Securities for Monies borrowed which may be created by the Company hereby incorporated, after the passing of this Act, shall not be entitled to any Preference one above another by reason of the Priority of the Date of any such Mortgage or Bond or Security, or of the Meeting at which the same was authorized, or otherwise howsoever, but shall rank *pari passu* one with the other.

First and other Meetings.

XL. The First Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *February* or *March*, and in the Months of *August* or *September*; and all Meetings of the Company, whether ordinary or extraordinary, shall be held in *London*.

Number and Qualification of Directors.

XLI. The Number of Directors shall be Eight, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Company.

First Directors of the Company.

XLII. The several Persons who at the Time of the passing of this Act are Directors of the Company hereby dissolved shall be the First Directors of the Company.

Power to vary the Number of Directors.

XLIII. It shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Six.

Quorum.

XLIV. The Quorum of a Meeting of the Directors shall be Three.

Resident Directors.

XLV. The Directors shall have the Power from Time to Time to appoint from among the Directors a Resident Director, upon such Terms as they may think fit, and to remove him from the Office when and as they may from Time to Time determine.

Committees of Directors.

XLVI. The Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three nor more than Six, and the Quorum of such Committees shall be Two Thirds in Number of the same.

XLVII. The

Qualification of Auditors.

XLVII. The Qualification of any Auditor appointed under this Act shall be the Possession in his own Right of Ten Shares in the Company.

Newspapers for Insertion of Advertisements.

XLVIII. The Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be any Newspaper published in the City and County of *Londonderry*, and a daily Newspaper published in the City of *London*.

Power to make Works authorized.

XLIX. Subject to the Provisions and Powers in the said "Companies Clauses Consolidation Act, 1845," and the said "Railway Clauses Consolidation Act, 1845," and in this Act, respectively contained, the Company may continue to make or complete, in so far as the same are not already completed, and to maintain, the Railway and other Works comprehended in the Undertaking of the Company, and which the said dissolved Company were authorized to make and maintain, in, through, and upon the Lands delineated on the Plans and described in the Books of Reference deposited with the Clerk of the Peace of the County within which the said Railway and other Works are authorized to be made, and according to the Directions and Levels shown on the said Plans and on the Sections deposited therewith, or according to such Alterations thereof as may be authorized by the said "Railway Clauses Consolidation Act, 1845;" and they may enter upon, take, and use such of the said Lands as they may require for the Purposes aforesaid: Provided always, that the compulsory Powers of taking the said Lands shall not be exercised after the Thirty-first Day of *May* One thousand eight hundred and fifty-five, being the earliest Period limited by the said repealed Acts in respect of the Lands by the same Acts respectively authorized to be taken.

Time for Construction of Works limited.

L. The Period limited for the Construction of the several Works authorized by this Act to be completed shall expire on the Thirty-first Day of *May* One thousand eight hundred and fifty-seven, being the Time limited for their Completion by the said repealed Acts, and from and after the said Thirty-first Day of *May* One thousand eight hundred and fifty-seven the Powers granted for executing the same shall cease to be exercised, except as to so much of the said Works as shall then have been completed.

As to Construction of Railway on Shore of River Foyle.

LI. No Part of the Railway shall extend within the Line of High-water Mark at ordinary Spring Tides to a greater Distance into the River *Foyle* than Fifty Feet from the Shore at High-water Mark, without the previous Sanction of the Admiralty; and that the Railway, or Works connected therewith, in or affecting the said River *Foyle*, shall be supported and protected on the River Side by a substantial

Wall, and which Wall shall be constructed and from Time to Time altered and repaired by the Company in such Manner as shall be directed and approved of by the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, such Direction or Approval to be signified in Writing under the Hand of the Secretary of the Admiralty.

As to the Construction of the Railway on the Shore of the River Bann.

LII. The said Railway, or any of the Works connected therewith, shall not be extended within the Bed of the River *Bann* beyond the Black continuous Line shown on the Plan deposited at the Admiralty, without the special Sanction or Approval of the said Lord High Admiral or the said Commissioners, such Sanction or Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and if any such Work shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly, with Costs of Suit.

Works below High-water Mark not to be executed without the Approval of the Admiralty.

LIII. Previously to constructing the said Railway, or erecting any Structure or Work connected therewith below High-water Mark, the Company shall deposit at the Admiralty Office, *Whitehall*, detailed Plans and Sections of all such Structures or Works, for the Approval of the said Lord High Admiral or the said Commissioners, and such Structures or Works shall be erected or constructed only according to such detailed Plans and Sections as shall be so approved of, such Approval to be signified under the Hand of the Secretary of the Admiralty.

Works already executed may be abated.

LIV. As regards all the Works in, over, or affecting Tidal Water which have been already executed or commenced by the Company without the previous Consent of the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, it shall be lawful for the Lord High Admiral or the said Commissioners, if he or they think fit, to order a Survey thereof, at the Cost of the Company, and it shall be lawful for him or them to abate and remove the same, or such Part or Parts thereof as he or they may deem objectionable, and to restore the Site or Sites thereof to its or their former State and Condition, and the Cost thereof and of the Survey shall be a Debt due from the Company to the Crown, and if not paid be recoverable with Costs of Suit.

Admiralty may order local Survey of intended Works.

LV. If after Working Drawings of the Works hereby authorized which affect any Tidal Water or navigable River shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works, or of the intended Site thereof, the Company shall defray the Costs of such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Abandoned Works affecting Tidal Water may be removed.

LVI. If any Work already constructed or commenced, or which may be hereafter commenced or constructed by the Company, in or across any Tidal Water or navigable River, or if any Portion of the Work which affects any such Water or River or Access thereto shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

As to crossing of Roads on the Level.

LVII. Subject to the Provisions of the said "Railways Clauses Consolidation Act, 1845," contained in reference to crossing of Roads on the Level, the Company may carry the Railway and Works forming the Undertaking, so far as the same are not already completed, across and on the Level of the Highways and Roads which were authorized to be so constructed by the said repealed Acts; (that is to say,)

In the Parish of *Tamlaghtard* or *Magilligan*, the Roads numbered respectively on the Plans deposited in the Year One thousand eight hundred and forty-seven with the Clerk of the Peace for the City and County of *Londonderry* 3 in the Townland of *Carrowreagh*, 12 in the Townland of *Oughtymoyle*, 14 and 27 in the Townland of *Duncrun*, 10 in the Townland of *Clooney*, 6 and 11 in the Townland of *Craig*, and 8 in the Townland of *Benone*:

In the Parish of *Dunboe*, the Road numbered in the Plan deposited with the same Clerk of the Peace in the Year One thousand eight hundred and forty-nine 4 in the Townland of *Bogtown*.

LVIII. For

Company to abide by Regulation of Board of Trade as to Speed of Trains.

LVIII. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend any such level Crossing, or shall fail to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of Trade may require a Bridge to be erected in lieu of level Crossing.

LIX. It shall be lawful for the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, if it shall appear to them to be necessary for the Public Safety, at any Time, either before or after the Railway by this Act authorized to be completed shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Lords shall direct, and at the Expense of the Company, to carry any or either of the Roads already crossed and by this Act authorized to be crossed on the Level either under or over the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, and to execute such other Works as under the Circumstances of the Case shall appear to the said Lords the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Land for extraordinary Purposes.

LX. The Company may purchase for the Purpose of the Railway and Works forming their Undertaking such Quantity of Land as may be necessary for extraordinary Purposes, not exceeding, together with what they may have already purchased, Twenty Acres.

Tonnage on Articles of Merchandize.

LXI. The Company may lawfully demand and receive, for the Use of the Railway and Works comprised in the Undertaking, any Tolls not exceeding the following; (that is to say,)

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

For Coals, Stones for building, pitching, and paving, Clay and Dung, Compost, all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and

if

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

For all Coke, Culm, Charcoal, and Cinders, all Bricks, Tiles, Slates, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings, all Lead Ore, Calamine, Black Jack, or Blend Ore, Pig and Bar Lead, Sheet Lead, Litharge, Brass, and Spelter in Ingots, Copper Ore, burnt or roasted Copper Ore, Regule of Copper, Precipitate of Copper, Cake Copper, Tile Copper, Sheet Copper, or other Articles of Metal not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding Three Halfpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny.:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

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

And for every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence:

And a like Sum of Twopence *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 *per* Mile not exceeding Twopence.

Tolls for Passengers and Animals.

In respect of Passengers and Animals conveyed upon the Railway, as follows;

For any Person conveyed in or upon any Carriage not belonging to the Company, *per* Mile not exceeding Three Halfpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, conveyed in or upon any such Carriage, *per* Mile not exceeding Threepence; and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to

to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Calf, Pig, or Sheep, Lamb or other small Animal, conveyed in or upon any such Carriage, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for propelling Power.

LXII. The Tolls which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Regulations as to the Tolls.

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

For Persons in First and Second Class Carriages, or for any Articles 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 on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, or 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.

And with respect to small Packages, and single Articles of great Weight, the Company may lawfully demand and receive the Tolls following; (that is to say,)

For the Carriage of any Parcel not exceeding Seven Pounds in Weight, for any Distance not exceeding Twenty Miles, Fourpence; and where the Distance shall exceed Twenty Miles, Sixpence:

For any Parcel exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, for any Distance not exceeding Twenty Miles, Eightpence; and where the Distance shall exceed Twenty Miles, One Shilling:

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, for any Distance not exceeding Twenty Miles, One Shilling and Fourpence; and where the Distance shall exceed Twenty Miles, Two Shillings:

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, for any Distance not exceeding Twenty Miles, Two Shillings; and where the Distance shall exceed Twenty Miles, Three Shillings:

For any Parcel exceeding Fifty-six Pounds and not exceeding Five hundred Pounds in Weight the Company may demand any Sum which they think fit: Provided always, that Articles sent in large aggregate Quantities, although made up in separate Parcels, such as Bags of Sugars, 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, Bob, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Eight Tons, the Company may demand such Sum as they from Time to Time may think fit, not exceeding Sixpence *per* Ton *per* Mile:

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

Maximum Rates of Charges for Passengers.

LXIV. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the said Railway, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

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

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

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

For Cattle, Goods, &c.

LXV. The maximum Rate of Charge to be made by the Company for the Conveyance of Horses, Cattle, Carriages, and Goods, including the Tolls for the Use of the Railway, and Waggons or Trucks, and locomotive Power, and every Expense incidental to such Conveyance (except the loading and unloading of Goods where such Service is performed by the Company), shall not exceed the following Sums:

For every Horse or other Beast of Draught or Burden, except Neat Cattle, before classed with Horses, Fourpence *per* Mile:

For

For Neat Cattle, Threepence *per* Head *per* Mile:
For every Calf or Pig, Three Halfpence *per* Mile:
For every Sheep, Lamb, or other small Animal, One Penny *per* Mile:
For every Four-wheel Carriage, Sixpence *per* Mile:
For every Two-wheel Carriage, Fourpence *per* Mile:
For Coal, and other Articles herein-before classed therewith, the Sum of Twopence *per* Ton *per* Mile:
For Coke, and other Articles herein-before classed therewith, the Sum of Twopence Halfpenny *per* Ton *per* Mile:
For Sugar, and other Articles herein-before classed therewith, the Sum of Threepence *per* Ton *per* Mile:
For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Fourpence *per* Ton *per* Mile.

Restriction as to Charges not to apply to Special Trains.

LXVI. The Restriction as to the Charges to be made for Passengers shall not extend to any Special Train, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company.

Company may take increased Charges by Agreement.

LXVII. Nothing herein contained shall be held to prevent the said Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description (other than small Parcels), by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger Trains, or by reason of any other special Service performed by the said Company in relation thereto.

Passengers Luggage.

LXVIII. It shall be lawful for every Passenger travelling upon or along the said Railway in a First-class Carriage to take with him without Charge his ordinary Luggage, not exceeding One hundred Pounds in Weight, and every Passenger travelling in a Second-class Carriage may take with him his ordinary Luggage, not exceeding Sixty Pounds in Weight, and every Passenger travelling in a Third-class Carriage may take with him his ordinary Luggage, not exceeding Forty Pounds in Weight.

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. c. 57. and 14 & 15 Vict. c. 64.

LXIX. Nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the several Acts respectively herein-after referred to, (that is to say,) First and Second *Victoria*, Chapter Ninety-eight, Third and Fourth *Victoria*, Chapter Ninety-seven, Fifth and Sixth *Victoria*, Chapter Fifty-five, Seventh and Eighth *Victoria*, Chapter Eighty-five, Ninth and Tenth *Victoria*, Chapter Fifty-seven, and Fourteenth and Fifteenth *Victoria*, Chapter Sixty-four, but the Provisions of the said Acts respectively shall be in force in respect to the said Railway and Company so far as the same shall be applicable thereto.

LXX. Nothing

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

LXX. Nothing herein contained shall be deemed or construed to exempt the said Railway from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, 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 Rates for small Parcels and of the maximum Rates of Fares and Charges authorized by this Act.

Providing for Drainage through the Embankment.

LXXI. The Company shall not in any Manner injure the Drainage of the Waste Lands, Mud Banks, or Slobs to be embanked and drained by virtue of the Acts of the First and Second and Sixth and Seventh Years of the Reign of Her present Majesty, herein-before referred to, or of the Lands adjoining the same; and the Company shall not in any Manner interfere with or obstruct the Drainage or Navigation into and from *Lough Foyle* in and through the Rivers *Roe*, *Faughan*, *Muff*, *Faughanvale*, and the *Donneybrewer* and *Ballykelly* and *Broharris* Canals, nor prevent the free Discharge of the Waters of the same; and where the said Railway shall cross either of the said Rivers or Canals sufficient Archways or Openings shall be made and constructed under the Railway for the Purposes of such Drainage and Navigation.

General Saving of Rights.

LXXII. Nothing in this Act, or in "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Railway Clauses Consolidation Act, 1845," or "The Railways (*Ireland*) Act, 1851," respectively contained, shall extend or be deemed or construed to extend in any Manner to lessen, defeat, alter, or prejudice any Contract or Agreement entered into or made by the Undertakers named in the said respective Acts of the First and Second and Sixth and Seventh Years of the Reign of Her present Majesty, previous to the passing of this Act, with any Person or Persons, Company or Companies, Corporation or Corporations, or to lessen, defeat, alter, or prejudice the Powers and Authorities of the Commissioners acting for the Time being under the said recited Acts of the First and Second and Sixth and Seventh Years of the Reign of Her present Majesty, in and over the Waste Lands, Mud Banks, or Slobs to be reclaimed by the said Company, or to lessen, defeat, alter, or prejudice any Estate, Right, Title, Interest, Privilege, Franchise, or Authority whatsoever which by virtue of the said last-mentioned Acts or either of them respectively are now or shall or may at any Time or Times hereafter be vested in or belong to or be used or exercised by any Person or Persons, Company or Companies, Bodies Politic or Corporate, Corporations Aggregate or Sole whatsoever, or to alter, lessen, or prejudice the Liabilities and Requirements imposed by the

the said last-mentioned Acts or either of them upon the Undertakers therein named, or their Assigns, or to prejudice or affect any Claim of Title whatsoever to the Freehold and Inheritance of the said Waste Lands, Mud Banks, or Slobs, subject to the Estate and Interest which the said Undertakers have under and by virtue of the said last-mentioned Acts: Provided also, that the said Waste Lands, Mud Banks, or Slobs, when inclosed and reclaimed, shall vest in and become the Property of the Undertakers in the said Acts of the First and Second and Sixth and Seventh Years of the Reign of Her present Majesty mentioned, or their Assigns, and of the Person or Persons, Company or Companies, Corporation or Corporations entitled thereto, under and by virtue of the Provisions of the said last-mentioned Acts, and of their respective Heirs, Successors, Executors, Administrators, or Assigns, in the same Manner as, and no further or otherwise than, and to all Intents and Purposes as if the said Waste Lands, Mud Banks, or Slobs had been inclosed and reclaimed by the said Undertakers under and by virtue of the Powers of the said Acts of the First and Second, Sixth and Seventh, and Ninth and Tenth Years of the Reign of Her present Majesty.

Saving Rights of the Crown.

LXXIII. Nothing in this Act contained shall extend or be construed to extend to alienate, defeat, lessen, prejudice, or derogate from any Estate, Right, Title, Interest, Franchise, Prerogative, or Authority of or appertaining to the Queen's most Excellent Majesty, Her Heirs or Successors, in right of Her Crown or otherwise.

Saving the Rights of the Irish Society.

LXXIV. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Honourable the *Irish* Society, the Governors and Assistants, *London*, of the New Plantation of *Ulster* within the Realm of *Ireland*, under or by virtue of any Charter or Charters heretofore granted to them by the Crown, or of any Statute or Statutes in anywise relating thereto.

Saving the Rights of the Company acquired by Mortgages from the Undertakers of the Lough Foyle Reclamation.

LXXV. Nothing in this Act contained shall extend or be deemed or construed to extend in any Manner to lessen, defeat, alter, or prejudice any Contract, Mortgage, or Agreement entered into or made by or with or from the Undertakers named in the said Acts of the First and Second and Sixth and Seventh Years of the Reign of Her present Majesty, or their Representatives or Assigns, with or to the Company hereby dissolved, previously to the passing of this Act, and under the Powers and Provisions contained in the said repealed Acts or either of them, but that every such Contract, Mortgage, or Agreement shall, notwithstanding the Provisions contained in this Act, remain and be in full force and virtue, and be applicable to the Company hereby incorporated.

Expenses of Act.

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

Interpretation of Terms.

LXXVII. In this Act the Words or Expressions "the Company" alone, or "the Company hereby incorporated," shall respectively mean "the *Londonderry and Coleraine* Railway Company" incorporated by this Act; and "the Undertaking" shall mean the Railways and other Property and Rights before defined, and vested in or belonging to the Company.

Short Title.

LXXVIII. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Londonderry and Coleraine* Railway Consolidation Act, 1852."

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