ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

8 & 9 Vict. cc. 16., 18., and 19. incorporated with this Act.

II. That "The Companies Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845," except the Provisions thereof with respect to the Purchase of Lands otherwise than by Agreement, "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*), 1851," shall be incorporated with and form Part of this Act.

Incorporation of Company.

III. That *James Clay*, *Daniel Warren*, *John Cross*, *Philip Hanbury*, *William Henri Thomas*, *George Tyrrell*, *William M'Cormick*, *James Thomas Hackett*, *Edward Corry*, *William M'Ilwaine*, *Bushell King*, *James Clarke Thomas*, *Richard Gunter*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their respective Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway and Branch Railway herein-before mentioned, and hereinafter more particularly described, with all proper Works and Conveniences belonging thereto, according to the Provisions of the said incorporated Acts and of this Act, and for other the Purposes in the said Acts respectively mentioned; and for the Purposes aforesaid such Company shall be incorporated under the Name or Style of "The *Londonderry*, *Enniskillen*, *and Sligo* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said incorporated Acts respectively contained.

Capital.

IV. That the Share Capital of the said Company shall be Three hundred thousand Pounds.

Shares.

V. That the Number of Shares into which the said Capital shall be divided shall be Thirty thousand, and the Amount of each Share shall be Ten Pounds.

Calls.

VI. That Two Pounds Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company shall make on the Shareholders, and Seven Pounds and Ten Shillings shall be the utmost aggregate Amount of Calls that may be made in One Year upon any Share, and Three Months at least shall be the Interval between successive Calls.

Power to issue Shares in Classes.

VII. That it shall be lawful for the Company to issue such Shares in Three Classes; One of such Classes to consist of Fifteen thousand Shares, and to be distinguished by the Letter A.; another of such Classes to consist of Seven thousand five hundred Shares, and to be distinguished by the Letter B.; and the Third of such Classes to consist

consist also of Seven thousand five hundred Shares, and to be distinguished by the Letter C.; and it shall be lawful for the Company to call up the full Amount of each of the Shares in Class A. before they make any Call upon the Shares in Class B., and to call up the full Amount of each of the Shares in Class B. before they make any Call upon the Shares in Class C.

Company not to pay Interest on Calls.

VIII. That it shall not be lawful for the Company hereby incorporated, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposits for future Acts not to be paid out of Company's Capital.

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

Power to borrow on Mortgage.

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

Arrears to be enforced by Appointment of a Receiver.

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

Application of Capital.

XII. That all and every Part of the several Sums of Money hereby authorized to be raised by Shares, or on Mortgage or Bond, shall be applicable only to the Objects and Purposes by this Act authorized.

XIII. That

Number and Qualification of Directors.

XIII. That the Number of Directors of the said Company shall be Eight, and that the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

First Directors.

XIV. That *James Clay*, *Daniel Warren*, *John Cross*, *Samuel Gilliland*, *Philip Hanbury*, *Alexander Lindsay*, *William Henri Thomas*, and *George Tyrrell* shall be the First Directors of the Company.

Quorum.

XV. That the Quorum of a Meeting of Directors shall be Three.

Committees of Directors.

XVI. That the Number of Directors of which Committees appointed by 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.

Qualification of Auditors.

XVII. That the Qualification of any Auditor appointed under this Act shall be the Possession in his own Right of Twenty Shares in the Undertaking.

Newspapers for Advertisements.

XVIII. That all Advertisements relating to the Affairs of the Company shall be inserted in One Paper published in the Town of *Enniskillen*, and in One Paper published in the Town of *Sligo*, and also in a daily Newspaper published in the City of *London*.

Power to make Railway according to deposited Plans, &c.

XIX. That, subject to the Provisions, Restrictions, and Powers of Deviation contained in "The Railways Clauses Consolidation Act, 1845," and in this Act, the said Railway and Branch Railway shall and may be made in the Line or Course and upon, over, or through the Lands delineated upon the Plans and Sections and described or referred to in the Books of Reference respectively deposited with the Clerks of the Peace for the several Counties of *Fermanagh*, *Cavan*, *Leitrim*, and *Sligo*, and according to the Levels shown on the said Sections; and it shall be lawful for the said Company to enter upon, take, and use such of the said Lands as they may require for the respective Purposes aforesaid.

Commencement and Termination of Railway and Branch Railway.

XX. That the Railway and Branch Railway to be made under the Authority of this Act shall commence and terminate as follows; that is to say, the Railway shall commence by a Junction with the *Londonderry and Enniskillen* Railway on the North Boundary of the Road leading from *Dublin* to *Enniskillen* adjoining the Fair Green of the Town of *Enniskillen* in the County of *Fermanagh*, and shall terminate at the Town of *Sligo* in the Townland of *Rathquarter* and Parish of *Calry* in the County of *Sligo* at the Rear of the Tenements in *Barrack Street*, and between that Street and the *New Victoria Road*;

Road; and the Branch Railway shall commence by a Junction with the last-mentioned Railway in the Field numbered 19 on the Plans herein-before referred to in the Townland of *Donaghbeg* in the Parish of *Cloonclare* and County of *Leitrim*, and shall terminate at or near the *Creevelea* Ironworks in the Townland of *Gowlaun* and Parish of *Killarga* in the same County.

Company to purchase Land for a double Line.

XXI. That the said Company shall and they are hereby required, previously to the Completion of the said Railway and Branch Railway, and the opening of the same respectively for public Traffic, to purchase and take such a Quantity of Land as shall be sufficient for the Purpose of laying down a double Line of Rails thereon, and shall plant and construct the Hedges and Fences to the said Railway at such Distances from each other as will leave sufficient Width between the same Hedges and Fences for the Purpose of laying down a double Line of Rails, and shall construct the Bridges and Tunnels of such Dimensions as will admit of a double Line of Rails being placed on the said Railway and Branch Railway, and being used for the Purposes of the same.

Board of Trade may require a double Line of Rails to be laid down.

XXII. That in case the Railway and Branch Railway by this Act authorized to be made, or either of them, shall be constructed with a single Line of Rails only, it shall be lawful for the Board of Trade, at any Time after the Completion and opening of the said Railway and Branch Railway respectively, to require that another Line of Rails shall be laid down, and to certify the Works necessary or proper to be executed by the Company, and by such Certificate to require the Company to execute such Works within a certain Time after the Service of such Certificate, to be appointed by the said Board.

Penalty for not laying down double Line of Rails, when required.

XXIII. That if the said Company shall fail to lay down another Line of Rails, when required so to do by the Board of Trade, and to execute and complete the necessary Works as aforesaid, within the Period appointed for that Purpose in such Certificate, they shall forfeit to Her Majesty the Sum of Twenty Pounds for every Day during which such Works shall remain uncompleted beyond the Period so appointed for their Completion, and such Penalty may be recovered in any of Her Majesty's Courts of Record.

Certain Property belonging to Poor Law Commissioners in Ireland not to be taken or without Consent.

XXIV. That nothing herein or in the said Acts incorporated herewith or any of them contained shall authorize the said Company to construct the said Railway or the Works thereof in, over, under, or across, or to purchase, take, or enter upon the Workhouse and Buildings, Lands, and Hereditaments, or any Part thereof, belonging to

or vested in the Commissioners for administering the Law for Relief of the Poor in *Ireland*, and situate in the Poor Law Union of *Manorhamilton* and County of *Leitrim*, without the written Consent of the said Commissioners; and that it shall not be lawful for the said Company, without such written Consent as aforesaid, to exercise the Powers vested in them by this Act or the said Acts or any of them, for the Purpose of constructing the said Railway, so as in any Manner to interfere with or prejudice the said Workhouse, Buildings, Lands, and Hereditaments, or any Part thereof respectively, or the Rights, Powers, or Privileges of the said Commissioners in relation thereto.

Power to deviate in the Construction of a Viaduct near Sligo.

XXV. That, notwithstanding anything in this Act or in the Acts incorporated therewith contained, it shall be lawful for the Company to deviate, in the Construction of the Viaduct as shown upon the said Sections, and situate near to the Terminus of the said Railway at the Town of *Sligo*, to the Extent of the Limits of Deviation defined upon the said Plans: Provided always, that any such Deviation shall be subject to the Approval of the Grand Jury of the said County of *Sligo*, to be signified in Writing under the Hand of the Surveyor for the Time being of the said County.

Prohibiting the Diversion of a public Road.

XXVI. That it shall not be lawful for the said Company to divert the Highway numbered Seven in the said Townland of *Shannon Oughter* in the Manner shown upon the said Plans and Sections; but the same Highway shall be crossed on the Level thereof, or in such other Manner as may be approved of by the Grand Jury of the said County of *Sligo*, such Approval to be signified in Writing under the Hand of the Surveyor for the Time being of the said County.

Certain Roads may be crossed on a Level.

XXVII. That, subject to the Provisions in the said Railways Clauses Consolidation Act contained in reference to the crossing of Roads on a Level, it shall be lawful for the Company, in the Construction of the Railway and Branch Railway by this Act authorized, to carry the same across the several Highways herein-after mentioned on the Level thereof; (that is to say,)

On the Main Line the Highways numbered as follows on the said Plans:

In the Townland of *Drumgollon* and Parish of *Rossorry*, 26:
In the Townland of *Cappog* and Parish of *Rossorry*, 27:
In the Townland of *Gortahurk East* and Parish of *Cleenish*, 10:
In the Townland of *Letterbreen* and Parish of *Cleenish*, 38:
In the Townland of *Belcoo East* and Parish of *Cleenish*, 36:
In the Townland of *Thornhill* or *Mullandreenagh* and Parish of *Killinagh*, 22:
In the Townland of *Moneenshinnagh* and Parish of *Cloonclare*, 44:

In

In the Townland of *Pollboy* and Parish of *Cloonlogher*, 27:
In the Townland of *Mulkaun* and Parish of *Killasnet*, 5:
In the Townland of *Diffreen* and Parish of *Killasnet*, 128:
In the Townland of *Lugnafaughery* and Parish of *Killasnet*, 23:
In the Townland of *Shannon Oughter* and Parish of *Calry*, 7:

And on the Branch Line the Highways numbered as follows on the said Plans:

In the Townlands of *Donaghbeg* and *Donaghmore* and Parish of *Cloonclare*, 17 and 3:
In the Townland of *Lisnagowan* and Parish of *Killarga*, 17.

Company to abide by Rules, &c. of Board of Trade with regard to Level Crossings.

XXVIII. That 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 and Branch Railway respectively cross 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 Bridges instead of level Crossings.

XXIX. Provided always, That 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 necessary for the Public Safety, at any Time, either before or after the Railway and Branch Railway hereby authorized to be made 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 herein-before mentioned Roads either under or over the Railway or Branch Railway by means of a Bridge or Arch, instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Lords the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Station to be erected for Florence Court, and Provision for Drainage.

XXX. That previously to the opening of the said Railway the Company shall erect and shall permanently maintain a First-class Station at or near the Place where the said Railway will cross the *Letterbreen*

Letterbreen and Florence Court Road between *Enniskillen* and *Black Lion* in the County of *Fermanagh*, and shall carry the said Railway across the *Sillyswater* from *Glencunny* to *Derriscob*, and also across *Lough Erne* from *Rossorry* to *Derryharragh*, upon Piles or open Arches, so as to cause no Obstruction to the Flow of Water.

Additional Land for extraordinary Purposes.

XXXI. That it shall be lawful for the Company to purchase and take any Quantity of Land not exceeding Thirty Acres for extraordinary Purposes connected with the Railway, Branch Railway, and Works by this Act authorized to be made.

Limitation of Time for compulsory Purchase.

XXXII. That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Limitation of Period for Execution of Works.

XXXIII. That upon the Expiration of Seven Years from the passing of this Act all the Powers hereby granted to the Company for making the Railway and Branch Railway hereby authorized shall cease to be exercised, except as to so much of the same respectively as shall then be completed.

As to Junction with the Londonderry and Enniskillen Railway.

XXXIV. That the Railway hereby authorized to communicate with the *Londonderry and Enniskillen* Railway shall communicate therewith at the Point or Points where, according to the Plans deposited as in this Act mentioned, such Railway appears to communicate therewith, and at no other Point or Points, without the Consent in Writing of the *Londonderry and Enniskillen* Railway Company under their Common Seal; and that all Communications between the Railway hereby authorized and the *Londonderry and Enniskillen* Railway shall be effected in a substantial and workmanlike Manner, by means of Connexion Rails and Points, of such Construction and laid in such Manner as shall be approved of from Time to Time and to the entire Satisfaction of the Engineer for the Time being of the said *Londonderry and Enniskillen* Railway Company.

Expense of such Junction to be paid by the Company.

XXXV. That the Expense of the Communication hereby authorized with the *Londonderry and Enniskillen* Railway, and of all necessary Openings in the Rails thereof, and of all other Works which may be from Time to Time requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of regulating and adjusting the same, shall be borne and paid by the Company hereby incorporated; and that all such Communications, Openings, and Works shall not only in the first instance be made and done, but shall also from Time to Time be altered, amended, repaired, and maintained by and at the Expense of the same Company, to the Satisfaction of the Engineers for the Time being of the *Londonderry*

and Enniskillen Railway Company, and in such Manner and Form and by such Ways and Means as shall not in anywise prejudice or injure the said last-mentioned Railway, or impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along the same.

Company not to take the Land of the Londonderry and Enniskillen Railway Company without Consent.

XXXVI. That, notwithstanding anything in this Act contained, it shall not be lawful for the Company hereby incorporated, or for any Person, under or in execution of this Act or for any other Purpose, either permanently or temporarily, to enter upon, take, or use any of the Land or Property of the *Londonderry and Enniskillen* Railway Company, or in any Manner to alter, vary, or interfere with the *Londonderry and Enniskillen* Railway or any of the Works appertaining thereto, without their Consent testified under their Common Seal, save only for the Purpose of effecting the Junction hereby authorized at the Point or Points and in manner aforesaid.

Saving Rights of the said Company.

XXXVII. That nothing in this Act contained shall prejudice, diminish, affect, alter, or take away any of the Rights, Powers, or Authorities of or vested in or belonging to the said *Londonderry and Enniskillen* Railway Company, but all the Rights, Powers, and Authorities of the same Company under their Act or Acts of Parliament or otherwise are hereby expressly saved and reserved as against and with respect to the Company hereby incorporated.

Tolls for Goods, &c.

XXXVIII. That 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 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 not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

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

And for every Carriage, of whatever Description, 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 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 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.

XXXIX. That 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.

XL. That

Regulations as to the Tolls.

XL. That 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,

Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, 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.

XLI. That 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.

XLII. That 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 Neat Cattle, Threepence *per* Head *per* Mile:

For every Calf or Pig, One Penny Halfpenny *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

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.

Restrictions as to Charges not to apply to special Trains.

XLIII. That the Restrictions as to the Charges to be made for Passengers shall not extend to any special Train, but shall apply only to the express and ordinary Trains appointed or to be appointed from Time to Time by the said Company.

Nor to increased Charge by Agreement.

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

Passengers Luggage.

XLV. That, without extra Charge, it shall be lawful for every Passenger travelling upon or along the said Railway in a First-class Carriage to take with him his ordinary Luggage, not exceeding One hundred and fifty Pounds in Weight, and every Passenger travelling in a Second-class Carriage may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight, and every Passenger travelling in a Third-class Carriage may take with him his ordinary Luggage, not exceeding Sixty 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., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

XLVI. That nothing in this Act contained shall be deemed or construed to exempt the said Railway and Branch Railway or the Company from the Provisions of the several Acts respectively hereinafter referred to; (that is to say,) an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways;* and another Act passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and another Act passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act passed in the Session of Parliament

ment held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways*; but that such Provisions shall be in force in respect to the said Railway and Works and Company, so far as the same are applicable.

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

XLVII. That nothing herein contained shall be deemed or construed to exempt the Railway and Branch Railway by this Act authorized to be made from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better or 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 maximum Rates of Fares and Charges authorized by this Act, or of the Rates for small Parcels.

Expenses of Act.

XLVIII. That all the Costs, Charges, and Expenses of or incident to the obtaining and passing of this Act shall be paid and defrayed by the Company.

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