ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. liv.

An Act for making a Railway from *Lough Swilly* in the County of *Donegal* to the River *Foyle* near the City of *Londonderry*.

[28th *June* 1853.]

WHEREAS the making of a Railway from *Lough Swilly* in the County of *Donegal* to the River *Foyle* near the City of *Londonderry* would be of great public Advantage: And whereas the Persons herein-after named are willing, at their own Expense, to carry such Undertaking into execution; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. That in citing this Act in other Acts of Parliament, and in all legal Documents and other Proceedings of any Description, it shall be sufficient to use the Expression "The *Lough Swilly* Railway Act, 1853." Short Title.

8 & 9 Vict. cc. 16. 18. & 20., and 14 & 15 Vict. c. 70. 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 Act (*Ireland*), 1851," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Incorporation of Company.

III. That *James Clay*, *William M'Cormick*, *William Henri Thomas*, *George Tyrrell*, *Thomas Brassey*, 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 herein-before mentioned, 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 and Lough Swilly* 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 Forty thousand Pounds.

Shares.

V. That the Number of Shares into which the said Capital shall be divided shall be Four 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.

Company not to pay Interest on Calls.

VII. 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,

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.

VIII. 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 Money on Mortgage.

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

Arrears may be enforced by Appointment of Receiver.

X. 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 Three thousand Pounds in the whole.

Application of Capital.

XI. 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.

Number and Qualification of Directors.

XII. That the Number of the 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.

XIII. 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.

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

Newspapers for Advertisements.

XV. That all Advertisements relating to the Affairs of the Company shall be inserted in at least One Paper published in the City of *Londonderry*.

XVI. That

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

XVI. 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 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 *Londonderry* and *Donegal*, 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.

Land for extraordinary Purposes.

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

Commencement and Termination of Railway.

XVIII. That the Railway to be made under the Authority of this Act shall commence on Land recently reclaimed from the Shore of the River *Foyle* by *William Haslett* Esquire, situate in or closely adjacent to the Townland of *Edenballymore* in the Parish of *Templemore* and City and County of *Londonderry*, and shall terminate on the Shore of *Lough Swilly*, in or closely adjacent to the Townland of *Carrowan* in the Parish of *Burt* and County of *Donegal*, at a Point Twelve Chains or thereabouts Westward of *Farland Point*.

Certain Roads may be crossed on a Level.

XIX. 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, to carry the same across the several Highways hereinafter mentioned on the Level thereof; (that is to say,)

The Highways numbered as follows on the Plans herein-before referred to:

In the Townland of *Pennyburn* and Parish of *Templemore*, 14.
In the Townland of *Ballynagalliagh* and Parish of *Templemore*, 15.
In the Townland of *Elaghmore* and Parish of *Templemore*, 4.
In the Townland of *Skeoge* and Parish of *Burt*, 6.
On the Extra-parochial Lands of *Lough Swilly*, 22.
In the Townland of *Carrowan* and Parish of *Burt*, 10.

Not to deviate on the Shore of Lough Foyle, &c. from Plan deposited at the Admiralty.

XX. That where the Line of Railway or Limit of Deviation extends below High-water Mark in *Lough Foyle* or *Lough Swilly* or either of them, no Part of the Line thereof, nor Works connected therewith, shall extend beyond the Centre continuous Line of Way shown on the Plan deposited at the Admiralty.

XXI. That

Company not entitled to any Right of River Frontage in the Foyle;

XXI. That the Company shall not be entitled to any Right of River Frontage by reason of the Line of their said Railway running below High-water Mark in the *Foyle*; but that the tidal Space Riverward of such Railway shall be reserved for Quays, Docks, or other Works, for the Use of Shipping and the Mercantile Trade generally, the previous Permission of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or of the Commissioners for executing the Office of Lord High Admiral, for the Construction of any such Quays, Docks, or other Works, being first obtained for such Purpose, such Permission being signified by Writing under the Hand of the Secretary of the Admiralty.

or exclusive Right of Sea Frontage in Lough Swilly.

XXII. That the Company shall not be entitled to any exclusive Right of Sea Frontage by reason of the Line of their said Railway running below High-water Mark in *Lough Swilly*.

Company to make and maintain all Crossings over Roads, &c. on the Shore of the Foyle or Lough Swilly.

XXIII. That in all such Parts of the said Railway as the same courses the Shore of the River *Foyle*, or cuts off Access to the Shore of the *Foyle* or *Lough Swilly*, or either of them, the Company shall, during the Progress of the Construction of the said Railway, and also from Time to Time after the Completion thereof, form, and for ever after the Completion thereof keep in repair at their own Expense, all such Crossings over or Ways or Roads under the said Railway as the said Lord High Admiral or the said Commissioners shall during the Progress of the Construction of the said Railway, or from Time to Time after the Completion thereof, by Writing under the Hand of the Secretary of the Admiralty, approve of and direct.

Admiralty may order a local Survey.

XXIV. That if at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal Water or navigable River, or Access thereto, or of the intended Site thereof, the Company shall defray the Costs of every 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.

Admiralty may abate and remove the Works abandoned or suffered to fall into Decay.

XXV. That if any Work to be constructed by the Company in, under, over, or across any tidal or navigable Water or 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,

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.

Company to provide Two level Crossings over Railway as a Means of communicating with the Land along the Shore of the River Foyle.

XXVI. That the Company, in laying down and constructing the said Railway, shall provide Two level Crossings over the same, for the Purpose of enabling the Public to communicate with the Lands on the Eastern Side of the said Railway, along the Shore of the River *Foyle*, at such convenient Places between the proposed Crossing of the Railway over the *Strand Road*, and the Mill now in the Occupation of Mr. *Samuel Gilliland*, as shall be determined by the Engineer of the said Company and the Engineer of the Ballast Office Committee for the Lough and River, Port and Harbour of *Lough Foyle*.

When any Quays have been constructed on Shore of River Foyle, Locomotives not to be used opposite to such Quays.

XXVII. That when and so soon as any Public Quays shall have been constructed on the Eastern Side of the said Railway along the Shore of the River *Foyle*, it shall not be lawful for the Company to use or permit the Use of any Locomotive Steam Engine on the said Railway between the *Strand Road* and the River *Foyle* opposite to such Quays, or to obstruct or hinder the free and uninterrupted Passage over the said Railway to any such Public Quays, without the Consent of the said Ballast Office Committee, to be signified in Writing under the Hand of their Clerk for the Time being.

Limit of Deviation between the Crossing at the Strand Road and the Terminus at Londonderry, &c.

XXVIII. That it shall not be lawful for the Company, in the Construction of the said Railway on the Eastern Side of the *Strand Road*, and between the Point where the Limits of Deviation of the said Railway intersect the said Road and the Southern Extremity of the Mill and Premises now in the Occupation of Mr. *Samuel Gilliland*, to deviate laterally to a greater Extent than Thirty-five Feet, measured from any Point of the Eastern Fence Wall of the said *Strand Road*, without the Consent of the said Ballast Office Committee, to be signified as aforesaid; and that no Alteration from the present Levels of the said Railway, as shown by the Sections thereof deposited as aforesaid, between the Terminus at *Londonderry* and the Point where the Limits of Deviation of the Railway intersect the *Strand Road*, shall be made without such Consent as aforesaid; and that the Course and Direction of the remaining Portion of the said Railway between the said Mill and Premises and the proposed Terminus of the said Railway at *Londonderry* shall be subject to the Approval of the Engineer for the Time being of the said Company, and of the Engineer for the Time being of the said Ballast Office Committee; and that without such Consent as aforesaid it shall not be lawful for the Company to enter upon, take, and use any of the

the Lands on the Shore of the River *Foyle* between the said Mill and Premises now in the Occupation of Mr. *Samuel Gilliland*, and the Point where the *Strand Road* is intersected by the Limits of Deviation of the said Railway, other than those which may be required for the Construction of the said Railway as herein limited and defined.

Speed on Railway limited in approaching Londonderry.

XXIX. That the Speed at which Carriages shall be moved or propelled on that Portion of the Railway situate between the proposed crossing of the *Strand Road* and the Station at *Londonderry* shall be limited to a Rate not exceeding Six Miles an Hour.

Company to abide by Regulations of Board of Trade with regard to level Crossings.

XXX. 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 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 Bridges instead of level Crossings.

XXXI. 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 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 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.

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 Five Years from the passing of this Act all the Powers hereby granted to the Company for making the

the Railway hereby authorized shall cease to be exercised, except as to so much of the same as shall then be completed.

Tolls.

XXXIV. That the Company may lawfully demand and receive for the Use of the said Railway and Works any Tolls not exceeding the following; (that is to say,)

For Goods and other Articles.

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* 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:

In

In respect of Passengers and Animals conveyed upon the Railway, as follows: Tolls for Passengers and Animals.

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 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.

XXXV. 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. Tolls for propelling Power.

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

For a Fraction of a Mile 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:

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,) Tolls for small Parcels and Articles of great Weight.

For

For the Carriage of any Parcel not exceeding Seven Pounds in Weight, for any Distance, Fourpence:

For any Parcel exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, for any Distance, Eightpence:

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, for any Distance, One Shilling and Fourpence:

For every Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, for any Distance, Two 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 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.

XXXVII. 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.

XXXVIII. 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

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, 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.

XXXIX. 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.

Company may take increased Charges by Agreement.

XL. 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.

XLI. 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.,

XLII. That nothing in this Act contained shall be held to exempt the said Railway or the Company from the Provisions of the several Acts respectively herein-after 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*;

9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

ways; 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 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 not exempt from Provisions of future General Acts.

XLIII. That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, 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.

Saving the Rights of the Irish Society.

XLIV. That nothing in this Act or the Acts incorporated herewith 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 Governor 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.

Expenses of Act.

XLV. 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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