



*The Finn Valley Railway Act, 1860.*

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

8 & 9 Vict.  
cc. 16. & 18.  
and  
14 & 15 Vict.  
c. 70., &c.  
incor-  
porated.

I. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," so far as the same is consistent with "The Railways Act (*Ireland*), 1851," "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*), 1851," and the Act of the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, intituled *An Act to continue the Railways Act (Ireland), 1851*, shall be incorporated with and form Part of this Act.

Same Mean-  
ings to  
Words, &c. in  
incorporated  
Acts as in  
this Act.

II. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Short Title.

III. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Finn Valley Railway Act, 1860.*"

Subscribers  
incorpo-  
rated.

IV. The Right Honourable *James Lord Viscount Lifford, John Cochran Esquire, Sir Edmund Samuel Hayes Baronet, Alexander John Robert Stewart Esquire, the Reverend Charles Irving, Robert Collum Esquire, M.D., Edward Hunter Esquire, James Thompson Mackey Esquire, Maurice Ceely Maude Esquire*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway herein-after described, with all proper Works and Conveniences connected therewith, according to the Provisions of this Act and the Acts incorporated therewith; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Finn Valley Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking, within the Restrictions herein and in the said incorporated Acts contained.

Capital.

V. And whereas the estimated Cost of making the Railway is Sixty thousand Pounds: Therefore, subject to the Powers of converting Loans into Capital in "The Companies Clauses Consolidation Act, 1845," contained, the Capital of the Company in Shares shall be Sixty thousand Pounds, and all and every Part of the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

VI. The

*The Finn Valley Railway Act, 1860.*

VI. The Number of Shares into which the said Capital shall be divided shall be Six thousand, and the Amount of each Share shall be Ten Pounds Sterling. Shares.

VII. Two Pounds *per* Share shall be the greatest Amount of any Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon such Share. Calls.

VIII. The Company may borrow on Mortgage or Bond any Sum or Sums of Money not exceeding in the whole the Sum of Twenty thousand Pounds, but no Part of that Sum shall be borrowed until the whole of the said Capital of Sixty thousand Pounds shall have been subscribed, and One Half thereof paid up, and until they shall prove to the Justice who is to certify, under the Provisions contained in the Fortieth Section of the "Companies Clauses Consolidation Act, 1845," before he so certifies, that all such Capital has been subscribed for *bond fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns shall be legally liable, and all and every Part of the Money so to be borrowed shall be applied in carrying the Purposes of this Act into execution. Borrowing Power.

IX. The Mortgagees of the Company may enforce Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver, and the Amount necessary to authorize the Appointment of a Receiver shall not be less than Three thousand Pounds in the whole. Arrears may be enforced by Appointment of a Receiver.

X. 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 Dividends to any Shareholders on the Amount of Calls made in respect of the Shares held by them in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained. Interest not to be paid on Calls paid up.

XI. The Company shall not out of any Money by this Act authorized to be raised pay or deposit any Sum of Money which by any Standing Order of either House of Parliament for the Time being in force may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or to execute any other Work or Undertaking. Deposits on future Bills not to be paid out of Capital.

XII. The

*The Finn Valley Railway Act, 1860.*

Newspaper  
for Adver-  
tisements.

XII. The Newspaper or Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be some One or more Newspaper or Newspapers published or circulated in the Counties of *Donegal* and *Tyrone*, or either of them, or in the County of the City of *Dublin*.

Meetings  
of the  
Company.

XIII. The First General Meeting of the Company shall be held in the Month of *October* next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *April* and *October*; and all Meetings, whether ordinary or extraordinary, of the Company, shall be held in *Stranorlar*, or at such convenient Place or Places as the Directors for the Time being shall appoint.

Quorum of  
Meetings  
of the  
Company.

XIV. The Quorum for every Meeting of the Company, whether ordinary or extraordinary, shall be Six Shareholders present, personally or by Proxy, and holding in the aggregate not less than Six thousand Pounds in the Capital of the Company.

Number of  
Shareholders  
to convene  
Extraor-  
dinary  
Meeting.

XV. The Number of the Shareholders on whose Requisition an Extraordinary Meeting of the Company may be required to be convened shall not be less than Six Shareholders holding in the aggregate not less than Six thousand Pounds in the Capital of the Company.

Number  
and Quali-  
fication of  
Directors.

XVI. The Number of Directors of the Company shall be Eight, and the Qualification of each such Director shall be the Possession in his own Right of Thirty Shares in the Undertaking.

First Direc-  
tors.

XVII. The Right Honourable *James* Lord Viscount *Lifford*, *John Cochran* Esquire, Sir *Edmund Samuel Hayes* Baronet, *Alexander John Robert Stewart* Esquire, *Robert Collum* Esquire, M.D., *Edward Hunter* Esquire, *James Thompson Mackey* Esquire, and *Maurice Ceely Maude* Esquire, shall be the first Directors of the Company.

First  
Election of  
Directors.

XVIII. The Directors appointed by this Act, or such of them as shall not die, or resign, or become disqualified, or be removed, shall continue in Office until the first Ordinary Meeting of the Company to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may continue in Office the Directors appointed by this Act, or any Number of them, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body.

Subsequent  
Election of  
Directors.

XIX. At the first Ordinary Meeting of the Company to be held in every Year after the First General Meeting the Shareholders present,  
personally

*The Finn Valley Railway Act, 1860.*

personally or by Proxy, shall elect Persons to supply the Places of the Directors, if any, then retiring from Office, agreeably to the Provisions of "The Companies Clauses Consolidation Act, 1845," and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845."

XX. The Number of Directors may be reduced by the Company from Time to Time, provided that the Number shall never be less than Five.

Power to reduce Number of Directors.

XXI. The Quorum of a Meeting of Directors shall be Three.

Quorum of Directors.

XXII. The Periods to which the Books of the Company shall be brought to Balance shall be the Thirtieth Day of *June* and the Thirty-first Day of *December* in each Year after the passing of this Act.

Periods for balancing Books.

XXIII. It shall be lawful for the Company to make and maintain a Railway, with all proper Stations, Approaches, Works, and Conveniences connected therewith; (that is to say,)

Power to make Railway.

A Railway commencing near the Towns of *Stranorlar* and *Ballybofey* in the Townland of *Stranorlar*, Parish of *Stranorlar* and County of *Donegal*, opposite the Entrance Gate of the Demesne of *Drumboe Castle*, and terminating by a Junction with the *Londonderry and Enniskillen* Railway near *Strabane* in the Townland of *Magirr*, Parish of *Urney* and County of *Tyrone*.

XXIV. Whereas Plans and Sections of the Railway showing the Line and Levels thereof, and also Books of Reference to such Plans containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited with the Clerks of the Peace for the Counties of *Donegal* and *Tyrone*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Railway shall be made in the Line or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and, subject to the aforesaid Provisions, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for the Railway and the Works connected therewith.

Railway to be made according to deposited Plans.

XXV. Whereas by "The Railways Clauses Consolidation Act, 1845," it is provided, that a Certificate of any Omissions, Mis-statement, or erroneous Description in certain Plans and Books of Reference therein referred to should be deposited with the Postmasters of the Post Towns in or nearest to the several Parishes in *Ireland* in which the Lands

As to Deposit of Plans with the Clerks of Unions.

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affected

*The Finn Valley Railway Act, 1860.*

affected thereby should be situate, and it is also provided that certain Plans and Sections of such Alterations in the original Plans and Sections as shall have been approved of by Parliament should also be deposited with such Postmasters, and be retained and produced by them for Inspection in manner therein mentioned: And whereas, in compliance with the present Standing Orders of both Houses of Parliament, the several Plans, Sections, and other Documents heretofore required to be deposited with the Postmasters of the Post Towns in *Ireland* are now deposited with the Clerks of the Unions, instead of such Postmasters: Therefore, with reference to this Act, in all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or the Word "Postmaster," shall be read and construed as if the Expression "Clerks of the Unions within which such Parishes are included in *Ireland*," or the Words "Clerk of the Union," as the Case may be, had been used and inserted in such Act, in lieu of the Expression "Postmasters," as the Case may be.

Road to be  
crossed on  
a Level.

XXVI. Subject to the Provisions in this Act and "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company, in the Construction of the Railway, to carry the same, so long as the Line remains a single Line of Railway, by not more than One Line of Railway, and when the Line shall be doubled, then by not more than Two Lines of Railway, across and on the Level of the public Road numbered Twenty-three in the Townland of *Liscooly* in the Parish of *Donaghmore* on the Plans deposited as herein-before mentioned: Provided always, that it shall not be lawful for the Company in shunting Trains to or from any Siding near to such level Crossing to pass Trains over such level Crossing, or to allow Trains to stand across the same when stopping at any Station.

Station or  
Lodge to be  
erected at  
Point of  
Crossing.

XXVII. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the Point where the Railway crosses the before-mentioned Road on the Level; and the Company shall be subject to and abide by all such Rules and Regulations with regard to the crossing of the said Road on the Level, or with regard to the Speed at which Trains shall pass such Road, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at such Point or Station, or 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 a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

XXXVIII. It

*The Finn Valley Railway Act, 1860.*

XXVIII. It shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time, either before or after the Railway shall have been completed and opened for Traffic, to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry the said Road either over or under the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board to be best adapted for removing or diminishing the Danger arising from such level Crossing; but when such Road shall be so carried under or over the Railway, it shall not be necessary for the Company to erect or maintain any Station or Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

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

XXIX. Previously to commencing the Bridge over the River *Finn*, or the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Bridge and Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Bridge and Works shall be constructed only in accordance with such Approval; and when any such Bridge and Works shall have been commenced or constructed, it shall not be lawful for the Company at any Time to alter or extend the same, without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Bridge or Works shall be commenced or completed, or be altered, extended, or constructed, 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 from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Plans of Bridge over River Finn to be deposited at and approved by Admiralty.

XXX. During the Construction of the Bridge over the River *Finn* and Works connected therewith the Company shall cause to be hung out or exhibited, every Night from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and for ever after the Completion of the Bridge the Company shall cause to be hung out or exhibited upon or near to the Centre of the Bridge, every Night from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels, and which

Lights to be kept on Bridge.

Lights

*The Finn Valley Railway Act, 1860.*

Lights shall be from Time to Time altered by the Company in such Manner, and be of such Description, and be so used and placed, as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall, by Writing under the Hand of the Secretary of the Admiralty, approve of; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid, they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

Bridge not to be allowed to fall into Decay.

XXXI. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect 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.

Admiralty may order local Survey, at Expense of Company.

XXXII. 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 or navigable Water or River, 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, on 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.

Lands for extraordinary Purposes.

XXXIII. The Quantity of Lands near or adjoining the Railway which may be purchased by Agreement by the Company for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Two Acres.

Powers for compulsory Purchases limited.

XXXIV. 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 after the passing of this Act.

Period for Completion of Railway.

XXXV. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then have been completed.

XXXVI. The



*The Finn Valley Railway Act, 1860.*

XXXVI. The Communication between the Railway hereby authorized and the *Londonderry and Enniskillen* Railway, and all such Openings in the Ledges or Flanges of that Railway as may be necessary or convenient for effecting such Communication, shall be made and maintained in a substantial and workmanlike Manner, by means of Connexion Rails and Points, at the sole Expense of the Company, and to the reasonable Satisfaction of the Engineer for the Time being of the *Londonderry and Enniskillen* Railway Company; and in case of any Difference between that Engineer and the Engineer of the Company as to such Communication, the same shall be determined by a Referee to be appointed by the Board of Trade.

Junction with the Londonderry and Enniskillen Railway.

XXXVII. The *Londonderry and Enniskillen* Railway Company shall from Time to Time erect such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Switchmen, or other Persons, as may be necessary for the Prevention of Danger or Obstruction to or Interference with Traffic at and near the Point of Junction between the Railway and the *Londonderry and Enniskillen* Railway, and the Working and Management of such Signals, Works, and Conveniences shall be under the exclusive Management and Regulation of the *Londonderry and Enniskillen* Railway Company, and all the proper Costs and Expenses of erecting and maintaining such Signals, Works, and Conveniences, and the reasonable Wages of such Watchmen, Switchmen, and other Persons, shall at the End of every Half Year be repaid by the Company to the *Londonderry and Enniskillen* Railway Company, and in default of such Repayment the Amount of such Costs, Expenses, and Wages may be recovered from the Company by the *Londonderry and Enniskillen* Railway Company in any Court of competent Jurisdiction.

Provision for Watchmen, Signals, &c.

XXXVIII. Nothing in this Act or in the Acts incorporated therewith contained shall authorize or enable the Company to take or enter upon any of the Lands belonging to the *Londonderry and Enniskillen* Railway Company, or to alter, vary, or interfere with the said *Londonderry and Enniskillen* Railway, or any of the Works thereof, further or otherwise than necessary for the convenient Junction and Intercommunication between the *Londonderry and Enniskillen* Railway and the Railway hereby authorized.

Interference with Works of Londonderry and Enniskillen Railway Company.

XXXIX. And whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Four thousand eight hundred Pounds, being Eight *per Cent.* upon the Amount of the Estimate in respect of the Railway authorized by this Act, has been deposited with the Court of Chancery in *Ireland* in respect of the Application to

Provision respecting Money deposited with Court of Chancery.

[Local.]

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Parliament

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*The Finn Valley Railway Act, 1860.*

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Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum of Four thousand eight hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Four thousand eight hundred Pounds shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Four thousand eight hundred Pounds if the said Company shall not within the Time limited for the Completion of the said Railway either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money and the Interest or Dividends thereof shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors  
or

*The Finn Valley Railway Act, 1860.*

or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding, and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

**XL.** With respect to the Tonnage of any Goods conveyed upon the Tolls. Railway, it shall be lawful for the Company to demand and receive any Tolls for the Use of the Railway, not exceeding the following; (that is to say,)

For all Coals, Stones for building, pitching, and paving, Clay, Sand, Dung, Compost, and 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 by Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny: Tonnage on Articles of Merchandise.

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, Flax, Hemp, Tow, Cotton and Linen Yarn, 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

*The Finn Valley Railway Act, 1860.*

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence; and the Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

Tolls for  
Passengers  
and Cattle.

XLI. In respect of Passengers and Animals conveyed in Carriages upon the Railway, it shall be lawful for the Company to demand and receive as follows; (that is to say,)

For every Person conveyed in or upon any such Carriage not belonging to the Company, *per* Mile not exceeding One Penny Halfpenny; 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, 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.

XLII. 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.

Maximum  
Charges for  
Conveyance  
of Passen-  
gers.

XLIII. The maximum Rates of Charges to be made by the Company for the Conveyance of Passengers upon the 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.

XLIV. It

*The Finn Valley Railway Act, 1860.*

XLIV. It shall not be lawful for the Company to charge, in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein mentioned, conveyed on the Railway, any greater Sum, including the Charges for the Use of Carriages, Waggon, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, than the several Sums herein-after mentioned; (that is to say,)

Maximum  
Charges for  
Conveyance  
of Goods and  
Cattle.

For Coals, and other Articles herein-before classed therewith, *per* Ton *per* Mile One Penny Halfpenny :

For Coke, and other Articles herein-before classed therewith, *per* Ton *per* Mile Twopence :

For Sugar, and other Articles herein-before classed therewith, *per* Ton *per* Mile Threepence :

For Cotton, and other Goods and Articles herein-before classed therewith, *per* Ton *per* Mile Fourpence :

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 Sixpence, and One Penny Halfpenny for every additional Quarter of a Ton which such Carriage may weigh :

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

For Neat Cattle, *per* Mile *per* Head Threepence :

For every Calf or Pig, *per* Mile One Penny Halfpenny :

For every Sheep, Lamb, or other small Animal, *per* Mile One Penny :

For every Four-wheel Carriage, *per* Mile Sixpence :

For every Two-wheel Carriage, *per* Mile Fourpence.

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

Regulations  
as to Tolls.

For Persons conveyed in First and Second Class Carriages, or for any Articles conveyed on the Railway for a less Distance than Four Miles, the Company may demand Tolls and Charges as for Four Miles :

For a Fraction of a Mile beyond Four 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

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*The Finn Valley Railway Act, 1860.*

be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

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

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for  
small Parcels  
and Articles  
of great  
Weight.

XLVI. With respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand and receive for Carriage for any Distance upon the Railway the Tolls following ; (that is to say,)

For any Parcel not exceeding Seven Pounds in Weight, Threepence :

For any Parcel exceeding Seven Pounds in Weight and not exceeding Fourteen Pounds in Weight, Sixpence :

For any Parcel exceeding Fourteen Pounds in Weight and not exceeding Twenty-eight Pounds in Weight, Ninepence :

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, One Shilling :

And for any Parcel exceeding Fifty-six Pounds in Weight but 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 of separate Articles, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages :

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they shall 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 may think fit.

Company  
may take  
increased  
Charges by  
Agreement.

XLVII. Nothing herein contained shall be held to prevent the 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

*The Finn Valley Railway Act, 1860.*

Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

X LVIII. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for each First-class Passenger, One hundred Pounds in Weight for every Second-class Passenger, and Sixty Pounds in Weight for every Third-class Passenger, without any Charge being made for the Carriage thereof.

Passengers  
Luggage.

XLIX. The Restrictions as to Charges to be made for Passengers and Articles herein mentioned shall not extend to any Special Train, but only to the Ordinary and Express Trains appointed or to be appointed from Time to Time by the Company.

Restrictions  
as to Charges  
not to apply  
to Special  
Trains.

L. The Company and the *Londonderry and Enniskillen* Railway Company may from Time to Time enter into and carry into effect Contracts and Agreements with respect to the following Purposes or any of them; (that is to say,

Traffic Ar-  
rangements  
with Lon-  
donderry and  
Enniskillen  
Railway  
Company.

The Use and Working by the *Londonderry and Enniskillen* Railway Company of all or any Part of the Railway of the Company, and the Works and Conveniences belonging thereto:

The Conveyance by the *Londonderry and Enniskillen* Railway Company of the whole or any Part of the Traffic upon the Railway:

The Supply of any Rolling or Working Stock and locomotive Power required for such Purpose:

The Construction or Management and Maintenance of the proposed Railway:

The Collection, Delivery, and general Conduct of the Traffic thereon:

The Interchange and forwarding of Traffic passing to and from the Railway of the Company to or from the Railway of the *Londonderry and Enniskillen* Railway Company:

The levying of Tolls, Rates, and Duties by the Company and the *Londonderry and Enniskillen* Railway Company, or either of them, upon their respective Railways, or any Portion or Portions thereof, in respect of such Traffic:

The fixing, levying, Collection, Division, and Apportionment between the said Companies of the Tolls and Profits arising from such Traffic, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of the said Companies to the other of them, by virtue of any such Contract or Agreement.

LI. Any

*The Finn Valley Railway Act, 1860.*

Duration of  
Contracts.

To be ap-  
proved by  
Board of  
Trade.

Not to affect  
Third  
Parties.

LI. Any such Contract or Agreement shall not be for more than Ten Years, and shall not have any Operation until the same shall have been approved by the Board of Trade; and no such Contract or Agreement as aforesaid shall in any Manner either affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies for the Time being shall be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Contract or Agreement, be as fully entitled to the Use and Benefit of the Railways to which the same may relate, upon Terms and Conditions as favourable, and on Payment of Tolls, Rates, and Charges on as low a Scale, as if no such Contract or Agreement had been entered into: Provided always, that the said Board shall not approve any such Contract or Agreement without being satisfied that the same has been duly assented to by a Majority of not less than Three Fifths of the Votes of the Shareholders of the several Companies Parties thereto, present in Person or by Proxy in Special Meeting convened for that Purpose.

Joint Com-  
mittee for  
carrying Ar-  
rangements  
into effect.

LII. The said Companies may, by any such Contract or Agreement as aforesaid, appoint a Joint Committee, composed of such of the Directors of the said Companies as the said Companies may think proper, and from Time to Time may alter, vary, and renew any such Committee as Occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the said Companies respectively as may be necessary for carrying into effect the Purposes of the said Contract or Agreement; and every such Joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them, in the same Manner as the same might have been had and exercised by the said Companies respectively or their respective Directors.

Arrange-  
ments may  
be renewed,  
with Ap-  
proval of the  
Board of  
Trade.

LIII. At the Expiration of any such Contract or Agreement the said Companies, subject to the Approval of the Board of Trade, may enter into a further Contract or Agreement for all or any of the Purposes aforesaid; provided that before such Companies shall enter into any such further Contract or Agreement as aforesaid they shall give Notice of their Intention so to do by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in Two or more Newspapers, one published in the County of the City of *Dublin*, and the other in the City of *London*; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Contract or Agreement, and desiring to object thereto, may bring Objections thereto before the Board of Trade; and no such Contract or Agreement shall be valid at Law or  
in



*The Finn Valley Railway Act, 1860.*

in Equity until the same shall have been approved of by the Board of Trade.

LIV. No such Contract or Agreement shall have any Operation or Effect unless and until the same shall have been submitted to and approved of by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of each Company Party thereto specially called for such Purpose.

Arrange-  
ments not to  
take effect  
unless ap-  
proved by  
Votes of  
Sharehold-  
ers.

LV. Each such Meeting shall be called by Advertisement inserted once in each of Two successive Weeks in a Morning Newspaper published in *Dublin*, and in some Newspaper of the County in which the principal Office of the Company thereby convened shall be situate, and the last Insertion of such Advertisement shall be published not less than Seven Days before such Meeting, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the thereby convened Company, to be served in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices requiring to be served by the thereby convened Company upon the Shareholders.

Meetings,  
how to be  
convened.

LVI. Provided always, That when and so long as any such Contract or Agreement shall be in force the Railway hereby authorized, and the Railways of the *Londonderry and Enniskillen* Railway Company, shall, for the Purpose of calculating the Tolls payable by any other Company or Person, be deemed One continuous Line of Railway, and the Use of the Railway, and the Management, Regulation, and Transmission of the Traffic thereon, shall be subject to all the Regulations and Byelaws of the *Londonderry and Enniskillen* Railway Company for the Time being in force: Provided that the Tolls, Rates, or Charges for Passengers, Animals, and Goods passing over the Railway or any Part of the Railway shall in no Case exceed the Tolls, Rates, and Charges by this Act authorized.

During  
Agreements,  
Line to be  
deemed for  
Purposes of  
Tolls con-  
tinuous with  
London-  
derry and  
Enniskillen  
Railway.

LVII. Nothing herein contained shall be deemed or construed to exempt the Company or the Railway by this Act authorized to be made, or the *Londonderry and Enniskillen* Railway Company in respect of the Railway and the other Matters provided for by this Act, from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revisions or Alterations, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act, or of the Rates for small Parcels.

Railway not  
exempt from  
Provisions of  
present and  
future  
General  
Acts.

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*The Finn Valley Railway Act, 1860.*

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Expenses  
of Act.

LVIII. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, and preparatory or incidental thereto, shall be paid and discharged by the Company.

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LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1860.