



ANNO DECIMO TERTIO & DECIMO QUARTO

# VICTORIÆ REGINÆ.

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## Cap. lxxxviii.

An Act to enable the *Midland Great Western Railway of Ireland* Company to make certain Deviations in the Line of their Railway, and for other Purposes. [29th July 1850.]

WHEREAS an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for making a Railway from Dublin to Mullingar and Longford, to be called the Midland Great Western Railway of Ireland*, whereby a Company was incorporated by the Name of "The *Midland Great Western Railway Company of Ireland*" for the Purpose of making the said Railway, and it was thereby enacted, that the Powers and Provisions of the said Company for the compulsory Purchase of Lands for the Purposes of that Act should not be exercised after the Expiration of Three Years from the passing of that Act, and that the said Railway should be completed within Five Years from the passing of that Act, and that on the Expiration of such Period the Powers thereby granted to the said Company for executing the said Railway, or otherwise in relation thereto, [Local.] 14 O should

8 & 9 Vict. c. 119.

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should cease to be exercised, except as to so much of the said Railway as should then be completed: And whereas by the said Act the said Railway Company were empowered to purchase from the New Royal Canal Company in *Ireland*, and the said Canal Company were empowered to sell to the said Railway Company, the Royal Canal, and the Warehouses, Wharfs, Buildings, Lands, Works, and Conveniences connected therewith, and all the Property, Powers, Rights, and Privileges of the said Canal Company, and certain Persons were thereby constituted Trustees to receive the Purchase Money, and to distribute the same to the Persons entitled thereto: And whereas another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to enable the Midland Great Western Railway of Ireland Company to make a Deviation in the authorized Line of the said Railway, and also a Branch Railway to the River Liffey*, whereby it was enacted, that the Powers of the said Company for the compulsory Purchase of Lands for the Purposes of that Act should not be exercised after the Expiration of Three Years from the passing of that Act, and that after the Expiration of Five Years from the passing of that Act all the Powers thereby granted to the said Company for making and executing the said Railway and Works, or otherwise in relation thereto, should cease to be exercised, except as to so much of the same Works as should then be completed: And whereas another Act was passed in the said last-mentioned Session of Parliament, intituled *An Act to enable the Midland Great Western Railway of Ireland Company to make a Railway from Mullingar to Athlone*: And whereas another Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to enable the Midland Great Western Railway of Ireland Company to make certain Deviations in the authorized Line of the said Railway, and to amend the Acts relating thereto*: And whereas another Act was passed in the last-mentioned Session of Parliament, intituled *An Act to enable the Midland Great Western Railway of Ireland Company to make a Railway from Athlone to Galway*: And whereas the Commissioners of Railways, by virtue and in exercise of Powers in them lawfully vested in that Behalf, did by Warrant under their Seal bearing Date the Twenty-ninth Day of *June* One thousand eight hundred and forty-eight (so far as regarded certain Parts of the said Railways and Works, and certain of the Lands whereon the same Railways and Works were intended to be constructed) extend the Periods respectively allowed by the said Acts for the Completion of the said Railways and Works, and for the compulsory Purchase of Lands for that Purpose, for the further Period of Two Years from the respective Expirations of the Periods so allowed by such Acts respectively: And whereas another Act was passed

9 & 10 Vict.  
c. 210.

9 & 10 Vict.  
c. 224.

10 & 11 Vict.  
c. 130.

10 & 11 Vict.  
c. 176.

passed

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passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled *An Act to make a Deviation in the authorized Line of the Midland Great Western Railway of Ireland, and to amend the Acts relating to the Company*; and such last-mentioned Act was thereby authorized to be cited as "*The Midland Great Western Railway of Ireland (Moate Deviation) Act, 1848*:" And whereas an Act was passed in the Session of Parliament now last past, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to the Midland Great Western Railway of Ireland Company*: And whereas, in pursuance of the Powers and Provisions in that Behalf in the said firstly-recited Act contained, the said Railway Company have contracted and agreed with the said Canal Company for the Purchase of the said Canal and other Hereditaments, Property, Powers, Rights, and Privileges, and paid to the said Canal Company Part of the Purchase Money for the same, and have secured the Residue thereof to them by a Mortgage made to certain Trustees named as the Trustees of the said Canal Company by an Indenture bearing Date the Twenty-fourth Day of *October* One thousand eight hundred and forty-five, under the Common Seal of the said Railway Company, and there remains due and owing to the said Trustees a Portion of the Sum secured by the said Mortgage: And whereas it is expedient that the said Trustees should be empowered from Time to Time to assign the said Mortgage, and also to re-convey the Tolls and Property thereby assigned to them, upon Payment by the said Railway Company of the Principal and Interest due upon such Mortgage: And whereas the Construction of the Deviations from the authorized Line of the Railway, and of the Diversion of the Turnpike Road leading from *Oranmore* to *Galway*, in the Manner herein-after mentioned, would be of public Advantage, and the said Company are willing at their own Expense to construct the same: And whereas it is expedient that the Time now limited for the compulsory Purchase of Lands and Hereditaments for the Purposes of the Railways and Works by the firstly and secondly herein-before recited Acts authorized, and for the Completion of the same Railways and Works, should, so far as regards such of the said Lands and Hereditaments and such Part of the same Railways and Works as are herein-after specified, be further extended, and that some of the Provisions of the said recited Acts should be amended and enlarged in manner herein-after mentioned; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts as amended by this Act and this Act shall be One Act, and shall be carried into execution accordingly.

11 & 12 Vict.  
c. 76.

12 & 13 Vict.  
c. 62.

Recited Acts  
and this Act  
to be executed  
as One.

II. And

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Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments, and in all Proceedings whatsoever, it shall be sufficient to use the Expression “*The Midland Great Western Railway of Ireland (Deviations and Amendment) Act, 1850.*”

Fixing Name of Railway Company.

III. And be it enacted, That the said Railway Company incorporated by the said first herein-before mentioned Act shall for all Purposes be deemed and taken to have been incorporated by the Name of “*The Midland Great Western Railway of Ireland Company;*” and all Acts done by the said Company under the Name by which the said Company was first incorporated shall be binding and effectual, and all Acts done or to be done by the said Company in the Name of “*The Midland Great Western Railway of Ireland Company*” shall be as binding as if they had been done in the Name by which the said Company was originally incorporated.

Powers to make Deviations and Diversions of Road according to deposited Plans.

IV. And whereas Plans and Sections of the said intended Deviation Railways and Works, and of the intended Diversion of the Turnpike Road leading from *Oranmore* to *Galway*, showing the Lines and Levels thereof respectively, and also Books of Reference to such Plans containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands which may be required to be taken for the Purposes thereof, have been deposited with the several Clerks of the Peace for the Counties of *Westmeath*, *Roscommon*, and *Galway*: Be it enacted, That, subject to the Provisions in this and the said recited Acts and the several Acts incorporated therewith contained, it shall be lawful for the said Railway Company to make and maintain the said Deviation Railways and Diversion of Roads respectively in the Lines 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 to enter upon, take, and use such of the said Lands as shall be necessary for those Purposes.

Line of the Shannon Deviation.

V. And be it enacted, That one of the said intended Deviation Railways shall commence by a Junction with the authorized Line of the *Midland Great Western Railway of Ireland* at a Point in a certain Road which on the Parliamentary Plans of the said *Midland Great Western Railway of Ireland* deposited with the Clerk of the Peace for the County of *Westmeath*, as in the said thirdly-recited Act mentioned, is marked with the Number 2, as regards Lands in the Townland of *Athlone* in the Parish of *Saint Mary's* and County of *Westmeath*, and shall terminate by a Junction with the authorized Line of the said Railway at a Point in a certain Common which on the same Plans is marked with the Number 4, as regards Lands in the

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Townland of *Bellaugh* in the Parish of *Saint Peter's* and County of *Roscommon*, and shall be called "The *Shannon* Deviation."

VI. And be it enacted, That the other of the said intended Deviation Railways shall commence by a Junction with the authorized Line of the said *Midland Great Western Railway of Ireland* at a Point in a certain Field which on the said Parliamentary Plans referred to by the said fourthly-recited Act is marked with the Number 39, as regards Lands in the Townland of *Kilclooney* in the Parish of *Kilclooney* in the said County of *Galway*, and shall terminate by a Junction with the authorized Line of the said Railway at a Point in a certain Field which on the same Plans is marked with the Number 48, as regards Lands in the Townland of *Kilmallaw* in the Parish of *Kilgerril* in the said County of *Galway*, and shall be called "The *Persse Park* Deviation."

Line of the  
*Persse Park*  
Deviation.

VII. And be it enacted, That the said intended Diversion of the Turnpike Road leading from *Oranmore* to *Galway* shall commence at a Point in the Townland of *Roscam* in the Parish of *Oranmore* in the County of the Town of *Galway* where, by the Plans of the now authorized Line of the said *Midland Great Western Railway of Ireland* deposited with the Clerk of the Peace for the County of *Galway*, the said authorized Line is shown to cross the said Road, and will pass along the South Side of the said Railway to a Point in a certain Field which in the said last-mentioned Plans is marked with the Number 7, as regards Lands in the Townland of *Merlin Park* in the said Parish of *Oranmore*.

Diversion of  
Road.

VIII. And whereas the said Railway Company are desirous of constructing a new Road as an Approach to their Railway Terminus on the *Roscommon* Side of the River *Shannon* which will interfere with the Property now vested in the said principal Officers of Her Majesty's Ordnance, and not only destroy the Barrack Drainage, but also the present Boundary Wall and all Buildings attached thereto: Be it therefore enacted, That the said Railway Company shall construct and make the new Road to the full and entire Satisfaction of the said principal Officers, and in accordance to the Design already agreed to by the said Company and the Commanding Royal Engineer in *Ireland*, so as that the entire Length and Breadth of the said Road shall be plainly seen and commanded from the North-east Tower of the Castle Barrack, *Athlone*, and also that the said Company shall reconstruct, complete, and finish the said Barrack Boundary Wall according to the Plans and to the entire Satisfaction of the said principal Officers, and shall also construct to the Satisfaction of the said principal Officers, and such Officers or Officer as

For the Pro-  
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Ordnance  
Property at  
*Athlone*.

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shall be authorized by them to oversee or to approve and inspect the same, a Main Conduit or Sewer along the said Barrack Boundary, finishing and connecting the same with that Conduit or Sewer recently built and made by the Board of Public Works on the South Side of the Bridge over the River *Shannon*, and shall also provide for the said Sewer a Sluice Gate and Communication into the River for the Purpose of flushing the same at Will and Pleasure.

As to Mode of constructing Railway through Ordnance Property at Athlone.

IX. And be it enacted, That in making the said Line of Railway through the Glacis of the Tête de Pont and Lands adjoining at *Athlone*, being Property of or vested in the principal Officers of Her Majesty's Ordnance, the said Railway Company shall construct and complete and finish the Excavations and Works connected with their Line where it passes through the Ordnance Property to the Satisfaction of the Master General and Board of Ordnance, and also construct and complete in like Manner such other Works as may be deemed necessary and requisite by the said Master General and Board of Ordnance, and that the said Railway Company shall not erect or permit to be erected any Buildings or other Obstructions within the same Extent without the Consent in Writing of the Master General and Board of Ordnance.

Level Crossing.

X. And be it enacted, That, subject to the Provisions in the Railways Clauses Act, 1845, contained in reference to the crossing of Roads on the Level, it shall be lawful for the said Railway Company in the Construction of the said "*Shannon Deviation*" to carry the same on the Level across a certain Road which in the Plans of the said *Shannon Deviation* so deposited as aforesaid is marked with the Number 2, as regards Lands in the Townland of *Athlone* in the Parish of *Saint Mary's* in the said County of *Westmeath*.

Company to erect Station or Lodge at level Crossing, and abide by Rules, &c. of Commissioners of Railways.

XI. And be it enacted, That for the greater Convenience and Security of the Public, the said Railway Company shall erect and permanently maintain either a Station or Lodge at the Points where the said *Shannon Deviation* crosses the before-mentioned Road on the Level, and shall be subject to and abide by all such Rules and Regulations with regard to the crossing of such Road on the Level, and with regard to the Speed at which Trains shall pass such Road, as may from Time to Time be made by the Commissioners of Railways; and if the said Railway Company shall fail to erect or at all Times to maintain such Station or Lodge, or to appoint a proper Person to watch or superintend the Crossing at such Lodge 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 to a daily Penalty of Ten Pounds for every Day such

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such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

XII. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Railways, if it shall appear to them to be necessary for the public Safety, at any Time hereafter to require the said Railway Company, within such Time as the said Commissioners shall direct, and at the Expense of the said Railway Company, to carry the before-mentioned Road either under or over the said *Shannon* Deviation 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 Commissioners the best adapted for removing or diminishing the Danger arising from such level Crossing: Provided always, that if the said Road shall in pursuance of any Requirement of the said Commissioners be carried either under or over the said *Shannon* Deviation, then and in that Case it shall not be necessary for the said Railway Company to erect or maintain such Station or Lodge as aforesaid, nor to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any Penalty for failing so to do.

Commissioners of Railways may require a Bridge or Arch to be constructed instead of level Crossing.

XIII. And be it enacted, That the said Company, in constructing the Railway through the Lands of the Incorporated Society in *Dublin* for promoting *English* Protestant Schools in *Ireland* at *Athlone*, shall make Two Passages or Roads under the Railway to communicate with the Lands belonging to the Society which shall be intersected by the said Railway, one Road to be made on the Eastern Bank of the Canal aforesaid, with a clear Height over the Surface of the said Road of not less than Eleven Feet measured from the said Surface to the springing of the Arch, and of at least Sixteen Feet in Width, and the other at or near the Verge of the River *Shannon* aforesaid, with a clear Height over the present Surface of the Ground of not less than Eleven Feet measured from the said last-mentioned Surface to the springing of the Arch, and of at least Ten Feet in Width, and for ever after keep open for the Use and Enjoyment of the Society aforesaid and their Lessees the said Two Roads: Provided always, that the last-mentioned Road or Communication may be made nearer to the said Canal if the Company and the said Society shall agree to the same.

Certain Communications to be made in the Lands of the Incorporated Protestant School Society in *Ireland*.

XIV. And whereas by the Railways Clauses Consolidation Act, 1845, it is provided that Certificates of any Omission, 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

As to Deposit of Plans with Clerks of Unions.

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the Lands 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 Union instead of such Postmasters: Be it therefore enacted, That with reference to this Act all the Provisions of the said Railways Clauses Consolidation Act, 1845, relating to the Matters aforesaid, and to the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or the Word Postmasters in the said Act, shall be read and construed as if the Expression "Clerks of the Union within which such Parishes are included in *Ireland*," or the Words "Clerks of the Union," as the Case may be, had been used and inserted in such Act in lieu of the Expression "the Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or in lieu of the Word "Postmaster," as the Case may be.

Period for compulsory Purchase of Lands limited.

XV. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purpose of making the Railways and other Works hereby authorized shall not be exercised after the Expiration of Two Years from the passing of this Act.

Works to be completed in Three Years, or Powers to cease.

XVI. And be it enacted, That after the Expiration of Three Years from the passing of this Act all the Powers hereby granted to the Company for making and executing the Railways and other Works by this Act authorized, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same Railways and Works as shall then be completed.

Company to take same Tolls as on Main Line.

XVII. And be it enacted, That the Company may, subject to the Provisions in the said recited Acts and this Act contained, lawfully demand and receive in respect of the Railways hereby authorized to be made, for and in respect of all Articles, Matters, and Things conveyed upon the same or any Part thereof, and in respect of all Passengers, Beasts, Cattle, and Animals conveyed in Carriages, and for Carriages conveyed on the same or any Part thereof, and for and in respect of Locomotive Engines or other Power supplied by the Company, and for the Conveyance upon the same Railways or any Part thereof in Waggons or Carriages belonging to the Company of any Passengers, Cattle or other Animals, Goods, Wares, Merchandize, Articles, Matters, and Things, such Amount of Rates, Tolls, or other

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Charges



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Charges as by the said first-recited Act the Company are authorized to demand and receive in respect of the Railway by the said first-recited Act authorized to be made, or any Part thereof; and all Provisions and Regulations in the said first-recited Act contained relative to the Imposition, Collection, and Recovery of Tolls shall extend and be applicable to the Rates, Tolls, or other Charges to be levied by virtue of this Act.

XVIII. And whereas in the Enumeration of the Acts relating to the said Railway contained in the said Act of the last Session of Parliament, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to the Midland Great Western Railway of Ireland Company*, "the *Midland Great Western Railway of Ireland (Moate Deviation) Act, 1848*," was accidentally omitted, and it is expedient that such Omission should be remedied: Be it therefore enacted, That the said recited Act of the last Session of Parliament shall be read and construed as if the said *Midland Great Western Railway of Ireland (Moate Deviation) Act, 1848*, had been recited or enumerated in the Preamble of the said Act of the last Session of Parliament amongst the other Acts relating to the said Railway Company.

Provisions of 12 & 13 Vict. c. 62. to extend to the Moate Deviation.

XIX. And be it enacted, That the said Deviation, Railways, and Works shall form Part of the Undertaking of the said Railway Company, and that it shall be lawful for the said Railway Company and they are hereby required to abandon the Formation of such Portions of the Railway by the said recited Acts authorized as will be rendered unnecessary by the Construction of the same Deviation Railways.

Abandonment of Part of authorized Lines.

XX. And be it enacted, That in any Case when before the passing of this Act any Contract hath been entered into or Notice given by the said Railway Company for purchasing any Lands which the said Railway Company were by the said recited Acts empowered to purchase for the Purpose of constructing the Portions of the said Railways so authorized to be abandoned as aforesaid, the said Railway Company shall make to the Owners or Occupiers of or other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by the Lands Clauses Consolidation Act, 1845, for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions

Compensation to be made when Contracts have been entered into or Notice given.

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thereof:

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thereof: Provided also, that the Authority hereby given for abandoning the Formation of the aforesaid Portions of the said Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the said Railway Company were so empowered to purchase as aforesaid to receive from the said Railway Company Compensation for any Damage which may have been occasioned by the Entry of the said Railway Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil or of setting out of the Line of the said Railways, pursuant to the Provisions for that Purpose in the said Lands Clauses Consolidation Act contained.

Extension  
of Time for  
compulsory  
Purchase of  
Lands on  
Part of Line.

XXI. And be it enacted, That the Powers of the said Railway Company for the compulsory Purchase of Lands for the Purposes of the Railways and Works by the firstly and secondly herein-before recited Acts authorized respectively may, so far as regards such of the Lands and Hereditaments delineated on the Plans and described in the Books of Reference respectively deposited as in the same Acts mentioned as are situate in the several Townlands, Parishes, and Places following, (that is to say,) *Ballina, Ballinaclin, Tuitestown, Drumloose, Balleagney, and Balgarrett*, all in the Parish of *Mullingar* in the County of *Westmeath*; *Shanonagh, Coolnahay, Gaddrystown, and Cartron*, in the Parish of *Templeoran* and County last aforesaid; *Calleaghstown and Ballintue* in the Parish of *Kilmacnevan* and County last aforesaid; *Kill, Balroe, Ballysallagh-Twite, Ballysallagh-Fox, Ballinacarrigy-Old, Moranstown, Ballinacarrigy, Cumminstown, Ballallen, and Ballycorkey*, all in the Parish of *Kilbexy* and County last aforesaid; *Bardanstown and Rathclittagh* in the Parish of *Rathaspick* and County last aforesaid; *Davistown and Kilpatrick* in the Parish of *Rathconrath* and County last aforesaid; *Mace, Kilmacahill or Cardun, Rathaspick, Cromlin or Rockfield, Clonaboy, Derrydovan (Middle), Derrydovan (Lower)*, in the Parish of *Rathaspick* and County last aforesaid; *Lissanure, Barne, Ballindagney and Cullyvore, Lackan, Tinnynaar, Liscahill, Shantum, and Abbeyland*, in the Parish of *Mostrim* and County of *Longford*; *Contronawar, Aghanageeragh, Lissaghanedan, and Treel*, in the Parish of *Ardragh* and County last aforesaid; *Ballynagoshen* in the Parish of *Killoe* and County last aforesaid; *Feraghfad* in the Parish of *Ballymacormick* and County last aforesaid; *Lisfarrell, Cloonahard, Freehalman, Cooleny, Kilnasavoge, Ardnacassagh Knockahaw, Templemichael Glebe, Townparks, and Abbeycartron*, in the Parish of *Templemichael* and County last aforesaid; and also in the several Townlands, Parishes, and Places following, (that is to say,) the Townland of *Grangegorman North* in the Parish of *Grangegorman* and County of *Dublin*; the Townlands of

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of *Slutsend* or *Westgarm* and *Cross Guns* in the Parish of *Glasnevin* and County aforesaid; the Townland of *Daneswell* or *Crossguns North*, *Clonliffe West*, *Clonliffe East*, and *Loves Charity*, in the Parish of *Saint George* and County aforesaid; and the Townland of *North Lotts* in the Parish of *Saint Thomas* and City or Borough of *Dublin*, be exercised within but shall not be exercised after the Expiration of Four Years from the respective Times limited in the said Warrant in that Behalf; and such Parts of the several Railways and Works by the said first and secondly herein-before recited Acts respectively authorized as are intended to be constructed in, upon, through, or over the aforesaid Lands and Hereditaments may be completed within Five Years from the respective Times limited in the said Warrant for the Completion thereof; and on the Expiration of such Five Years the Powers granted to the said Railway Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

XXII. And be it enacted, That the said Act of the last Session of Parliament lastly herein-before recited, and the several Clauses or Enactments thereof, shall be incorporated with this Act, and shall extend and apply to the Lands and Hereditaments respectively required for the Purposes of the said Deviation Railways and other Works by this Act authorized, and for the Purposes of this Act shall be read and construed as if throughout the said Act the Lands and Hereditaments required for the Purposes of the Deviation Railways and Works by this Act authorized were mentioned or referred to in addition to the Lands and Hereditaments required for the Purposes of the Railway from *Mullingar* to *Galway*, and the said Deviation Railways were mentioned or referred to in addition to the said Railway from *Mullingar* to *Galway*.

Powers of the Act 12 & 13 Vict. c. 62. as to Deviations extended to this Act.

XXIII. And whereas it is expedient for the Purpose of employing the Poor in the District traversed by the Railways known as the *Liffey* Branch and *Longford* Deviation that the Company should be empowered to enter simultaneously into possession of all the Lands now required by them for the Purposes of the said Railways: And whereas the Company are willing to proceed with the Construction of the whole of those Portions of the last-mentioned Railways now remaining uncompleted without Delay, upon obtaining Possession of the Land necessary for that Purpose: Be it therefore enacted, That it shall be lawful for the Company to cause to be made out, and to be signed by their Engineer and Secretary, Maps and Schedules of all or any of the Lands now required by the Company for the Purposes of

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

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

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

Commis-  
sioners to  
appoint an  
Arbitrator to  
consider the  
Valuation.

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

Expenses of  
Commis-  
sioners to be  
borne by the  
Company.

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

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

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

Maps, &c.  
approved by  
the Arbitra-  
tor to be  
deposited.

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of the Title on which the same shall be founded, such Statement and Abstract to be paid for by the Company.

Certificate of Value to be delivered by Company.

XXVII. And be it enacted, That within Thirty Days from the Delivery of every such Statement and Abstract as aforesaid the Company shall, when it shall appear to them that the Party so claiming as aforesaid is absolutely entitled to the Land claimed by him, deliver to such Party, on Demand, a Certificate under the Company's Seal stating the Amount of the Valuation approved by the said Arbitrator as aforesaid; and where it shall appear to the Company that there are different Estates or Interests existing in the same Lands, then the Company shall apportion the Amount of their said Valuation according to such different Estates or Interests, and shall deliver, on Demand, to each Party claiming such different Estates or Interests as aforesaid a Certificate under the Seal of the Company stating the Valuation of the Estate or Interest to which such Party so claiming as aforesaid is in the Opinion of the Company entitled; and where more Land than is included in One Number shall be claimed by the same Party, such Land and the Valuations thereof or of the Estates or Interests therein may be included in One Certificate if the Company shall think fit; and every such Certificate as aforesaid shall be prepared by and at the Costs of the Company.

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

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

Receipts duly stamped to operate as a Conveyance.

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

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

If Parties making Claims are deemed not entitled, &c., or if Title be not satisfactory, Monies to be paid to Trustees or into Court.

XXXI. And be it enacted, That when the Company shall be desirous of taking possession of any Land under the Provisions in this Act contained, and no Claim shall have been made in respect thereof,

Where no Claim made, or Parties refuse to accept Sum certified,

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Money to be paid into Court.

thereof, or of some particular Estate or Interest therein, within the Time herein-before prescribed for making such Claim, or if any Party to whom any such Certificate shall have been given or tendered shall refuse to receive such Certificate, or to accept the Amount therein specified as payable to him, then and in either of such Cases the Company shall pay the Amount of the Valuation, either of the Fee or of any other Estate or Interest (as the Case may be) in such Lands not claimed for as aforesaid, or the Amount specified in such Certificate, into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, in like Manner as is by "The Lands Clauses Consolidation Act, 1845," provided in Cases where Lands are taken possession of on no Title being shown, and the Amount so paid into the said Bank shall be accordingly dealt with as by the said Act is provided.

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

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

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

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

Land



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Land to be taken under the Powers herein-before in this Act contained, or of impeaching the Amount of the Valuation put thereon as aforesaid, other than by means of such Traverse as aforesaid, anything in any of the aforesaid Act or any Acts incorporated therewith or in this Act to the contrary notwithstanding.

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

Verdict on Traverse to have Effect of Judgment.

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Amount

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Amount of such Compensation or Damages and the Amount originally paid to such Trustees or into the Bank, as the Case may be, shall (if duly stamped as herein-before directed in the Case of Receipts given for Monies paid to Persons on Certificates given as aforesaid) have the Effect of a Release or Conveyance of the Interest of all Parties who entered such Traverse, and of all Parties claiming under them in the Lands affected by such Traverse.

Additional Lands for extraordinary Purposes.

XXXV. And be it enacted, That it shall be lawful for the Company to take and hold any Lands which they are authorized to take for extraordinary Purposes, subject and according to the Provisions of this Act, and as if they were Part of the Lands herein-before authorized to be taken by the Company.

Parties aggrieved by Extension of Time being granted may have Compensation for additional Damage.

XXXVI. Provided always, and be it enacted, That the Justices, Arbitrators, Umpires, Commissioners, or Juries, as the Case may be, who under the Provisions of the said recited Acts or this Act, shall award or assess the Compensation to be made by the said Railway Company to the Owners or Occupiers of or other Persons interested in any of the Lands, the Time limited for the compulsory Purchase whereof is by this Act extended, which shall be taken or used for the Purposes of the Railways or Works by the said recited Acts or this Act authorized, or which may be injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to and assess Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby granted.

Existing Contracts and Notices not to be affected.

XXXVII. Provided always, and be it enacted, That nothing herein contained shall in anywise prejudice or affect any Contract entered into or Notice given by the said Railway Company before the passing of this Act for purchasing, taking, or using any Lands which under the said Acts such Company is entitled to purchase, take, or use, but every such Contract and Notice respectively shall be construed and take effect, and the same Proceedings may be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof both at Law and in Equity, as if this Act had not been passed.

Power to Canal Trustees to assign Mortgage.

XXXVIII. And be it enacted, That it shall be lawful for the said Trustees so constituted as aforesaid under the Provisions of the said first-recited Act, with the Consent of the Majority thereof, to contract and agree to sell, assign, and transfer the said Mortgage of the Twenty-fourth Day of *October* One thousand eight hundred and forty-five,

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forty-five, and the Tolls and other Property and the Monies thereby secured, or any Part thereof respectively, in such Manner and for such Sum or Sums of Money as to said Trustees, or the Majority thereof as aforesaid, shall seem fit, and without being answerable for any Loss occasioned thereby; and upon the Completion of any such Sale as aforesaid it shall be lawful for the said Trustees so constituted as aforesaid to assign, transfer, and convey the said Mortgage, and the Property, Tolls, and Monies which may be sold as aforesaid, or any Part thereof respectively, to the Purchaser or Purchasers thereof, or as he, she, or they may direct, and to do and execute all such other Acts, Matters, and Things as may be requisite and proper for giving effect to such Sale or Sales as aforesaid, or, upon Payment by the said *Midland Great Western Railway of Ireland Company* of the Sum due by them on the said Mortgage of the Twenty-fourth Day of *October* One thousand eight hundred and forty-five, to reconvey and assure the said Tolls or Property thereby secured to the said *Midland Great Western Railway of Ireland Company*, their Successors or Assigns.

XXXIX. Provided always, and be it enacted, That it shall not be lawful for the said Trustees so to sell, assign, or convey the said Mortgage, and the Property, Tolls, and Monies thereby secured, or any Part thereof, nor shall the same be sold or transferred, without the Consent and Approbation of the said *Midland Great Western Railway of Ireland Company* being had and obtained to such Sale or Sales, Transfer or Assignment, as aforesaid, the same to be testified by their being Parties to and affixing the Common Seal of the said Company to the Deed or Deeds, Instrument or Instruments, conveying, transferring, or assigning the said Mortgage, and the Property, Tolls, and Monies thereby secured, or any Part thereof as aforesaid.

Assignment to be made with Consent of the Railway Company.

XL. And be it enacted, That the Receipts or Receipt of the Trustees for the Time being under the Provisions of the said first-recited Act under their Hands shall be sufficient Discharges or a sufficient Discharge to any Persons paying any Purchase or other Monies upon any such Sale as aforesaid for so much Money as in such Receipts respectively shall be mentioned to have been received, and the Person or Persons paying the same shall not be bound to see to the Application thereof, or be in any way answerable for the Misapplication or Nonapplication thereof, or of any Part thereof.

Receipts of Trustees to be sufficient Discharges.

XLI. And be it enacted, That all Purchase and other Monies received by the said Trustees for the Time being as aforesaid upon any such Sale or Sales as aforesaid shall be by them paid over and distributed by such Trustees in like Manner as the Purchase Money for

Application of Purchase Monies.

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for the said Canal and other Property, upon the Sale thereof to the said Railway Company, was by the said firstly-recited Act directed to be paid and distributed.

Saving Rights and Powers of the Commissioners of Public Works as regards the River Shannon.

2 & 3 Vict. c. 61.

XLII. Provided always, and be it enacted, That nothing in this Act, or in any of the Acts herein-before recited, or in any of the Acts incorporated with the said Acts herein-before recited, or in any of them, contained, shall lessen, abridge, or interfere with the Powers and Authorities vested in the Commissioners of Public Works in *Ireland* acting in execution of an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for the Improvement of the Navigation of the River Shannon*, or any other Act respecting the said River; and, notwithstanding anything in this Act or in any of the said Acts contained, it shall not be lawful for the said Company to carry the said Deviation Railways, or either of them, or the said Diversion of Road, or any Works appertaining to the same, over, across, or alongside of the said River *Shannon*, or on or along any Part of the Land and Hereditaments now vested in the said Commissioners of Public Works, or being within the Jurisdiction of the said Commissioners, as heretofore defined under the Provisions of the said Act for the Improvement of the Navigation of the River *Shannon*, or to make any Bridges or other Works in, over, or along any Part of the said River, or in any Manner to interfere with the Works now or hereafter to be executed under the said Act, or with the Navigation of the said River *Shannon*, except upon such Terms, under such Restrictions, and according to such Plans, Elevations, and Sections as shall be approved of, and so signified by the Commissioners of Public Works in *Ireland*, or any Two of them, in Writing under their Hands for that Purpose.

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

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

For preserving Right of Fishing of the Irish Society in the River Shannon.

XLIV. And be it enacted, That the said Company shall not in execution of the Works by this or the said thirdly-recited Act authorized interfere in any way with the Rights and Royalties of the Incorporated Society in *Dublin* for promoting *English* Protestant Schools in *Ireland* in and over the Fisheries of the River *Shannon*, and shall not fish the said River in any way from their Works, nor

permit

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permit any other Person whatsoever so to do, without the Consent of the said Society under their Common Seal, or their Lessees, in Writing first had and obtained: Provided always, that nothing herein contained shall extend to prevent the said Society, or their Lessees or Agents, from fishing the River at or under the Works of the said Company in such Manner as shall not be injurious to the said Works, or in any way impede the Progress of the Works during their Construction.

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

Railway and Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. 105.

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

Railway not exempt from Provisions of future general Acts.

XLVII. And be it enacted, That all Costs, Charges, and Expenses attending the passing of this Act or incidental thereto shall be paid by the said Company or the Directors thereof out of any Monies being in their Hands at the passing thereof, or out of the first Monies

Expenses of Act.

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which shall subsequently come to their Hands, in preference to all other Payments whatsoever.

Public Act.

XLVIII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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