



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. cccvii.

An Act to enable the *Newry and Greenore* Railway Company to make certain Deviations in their authorized Line, and to construct certain new Works ; and for other Purposes.

[5th July 1865.]

WHEREAS by "The *Newry and Greenore* Railway Act, 1863," the *Newry and Greenore* Railway Company were authorized to construct a Railway from *Newry* to *Carlingford Lough*, and a Pier and other Works in connexion therewith, and by an Act passed in the last Session of Parliament called "The *Newry and Greenore* Railway Amendment Act, 1864," Powers were conferred upon the Company to raise additional Capital, and to divide their authorized Capital into "Preferred" and "Deferred" Shares: And whereas the said Act of 1863 provides that all the Railways, Pier, and Works thereby authorized to be constructed Eastward and Southward of the Point where the Railway of the *Dundalk and Greenore* Railway Company would join the *Newry and Greenore* Railway, inclusive of the Junction, and in the said Act referred to as "the Joint Works," were to be executed by a Committee formed of Three of the Directors of each Company, such Committee to be called "the *Greenore* Works Committee:" And whereas it is expedient that the Provisions of the said Act with respect to such Committee should be altered: And whereas it is expedient that certain Deviations in the authorized Line of the *Newry and Greenore*

26 & 27 Vict.
c. ccxxix.

27 & 28 Vict.
c. iii.

[Local.]

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Railway

The Newry and Greenore Railway (Further Powers) Act, 1865.

Railway should be made, and that the Company should be empowered to erect Hotels in connexion with their Railway, and to obtain a Supply a Water for their own Purposes, as well as for the Use of Ships entering *Carlingford Lough*, by constructing the Reservoirs and other Works herein-after mentioned: And whereas it is necessary that the present Powers of the Company should be in other respects altered and enlarged: And whereas Plans and Sections describing the Lines, Situations, and Levels of the proposed Works, and the Lands, Houses, and other Property to be taken under the Powers of this Act, together with a Book of Reference to the Plans containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of such Lands, Houses, and other Property, were in the Month of *November* last deposited with the respective Clerks of the Peace for the Counties of *Armagh* and *Louth*: And whereas 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, as follows:

Short Title.

1. This Act may be cited for any Purpose as "The *Newry and Greenore* Railway (Further Powers) Act, 1865."

8 & 9 Vict.
cc. 18. & 20.,
10 & 11 Vict.
c. 17., and
14 & 15 Vict.
c. 70., &c.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 92. & 93.
incorporated.

2. "The Railways Clauses Consolidation Act, 1845," "The Railways Act (*Ireland*) 1851," "The Railways Acts (*Ireland*) 1860 and 1864," "The Lands Clauses Consolidation Act, 1845," so far as it is consistent with "The Railways Acts (*Ireland*) 1851, 1860, and 1864," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Waterworks Clauses Acts, 1847 and 1863," shall be incorporated with and form Part of this Act.

Interpre-
tation of
Terms.

3. The following Words and Expressions shall in this Act have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Company" means the *Newry and Greenore* Railway Company:

The Expression "the Railways" means the new or substituted Lines of Railway, and the Works connected therewith by this Act authorized to be constructed:

The Expression "the Act of 1863" means "The *Newry and Greenore* Railway Act, 1863:"

The Expression "the Act of 1864" means "The *Newry and Greenore* Railway Amendment Act, 1864:"

The Expression "deposited Plans" or "deposited Sections" means the Plans and Sections deposited in *November* last with the respective

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respective Clerks of the Peace for the Counties of *Armagh* and *Louth* with reference to this Act :

The Expression "the Committee" means the *Greenore Works Committee* appointed under the Act of 1863.

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

Same Meanings to Words, &c. in incorporated Acts as in this Act.

5. It shall be lawful for the Company to apply towards the Purposes of this Act any of the Monies which they are by the recited Acts authorized to raise, and which may not be required by them for the Purposes of those Acts.

Company may apply their Funds towards Purposes of Act.

6. The Company may from Time to Time raise (in addition to the Sums of Money which they are authorized to raise) any further Sums, not exceeding in the whole Fifty thousand Pounds, by the Creation of new Ordinary Shares, which Shares shall form Part of the general Capital of the Company.

Power to Company to raise additional Capital.

7. It shall not be lawful for the Company to issue any Share under this Act, nor shall any such Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share is paid up in respect thereof.

Shares not to issue until One Fifth paid up.

8. The Proprietors of any new Shares created under the Powers of this Act shall in respect of the same (except as otherwise provided by or under the Powers of this Act) be entitled to a Dividend with the other Shareholders, proportioned to the Amount for the Time being paid up on such Shares.

Dividends on new Shares.

9. The Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if such Shares had been Original Shares in the Company.

Votes of Proprietors of new Shares.

10. The Company may, from Time to Time under the Powers of this Act, borrow on Mortgage beyond the Sum now authorized to be borrowed by them, any additional Sums of Money not exceeding in the whole Sixteen thousand six hundred Pounds, but no Part of that Sum shall be borrowed until the whole of the additional Capital by this Act authorized to be raised by new Shares is *bonâ fide* subscribed for or taken, and One Half thereof is paid up, and until the

Power to borrow on Mortgage.

The Newry and Greenore Railway (Further Powers) Act, 1865.

the Company shall prove the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such additional Capital has been subscribed for or taken *bonâ fide*, and is held by the Subscribers or their Assigns, and that One Half of such Capital has been paid up, and that such Subscribers and their Assigns are legally liable for the whole of such Capital, and that all the Shares have been issued, and Twenty *per Centum* at least paid up on each separate Share on the Issue thereof, of which Proof having been given, the Certificate of such Justice under that Section shall be sufficient Evidence.

Existing
Mortgages
to have
Priority.

11. Provided always, That all Mortgages granted by the Company before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages have Priority over any Mortgages to be created by virtue of this Act.

Application
of Sums
raised under
this Act.

12. All and every Part of the Monies which the Company are by this Act authorized to raise by new Shares or Mortgage, shall be applied only to the Purposes authorized by this Act.

Parts of
8 & 9 Vict.
c. 16. and
26 & 27 Vict.
c. 118. incor-
porated.

13. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," "with respect to the Distribution of the Capital of the Company into Shares," "with respect to the Transfer or Transmission of Shares," "with respect to the Payment of Subscriptions and Means of enforcing the Payment of Calls," "with respect to the Forfeiture of Shares for Nonpayment of Calls," "with respect to the Remedies of Creditors of the Company against the Shareholders," "with respect to the borrowing of Money by the Company on Mortgage or Bond," "with respect to the Conversion of the borrowed Money into Capital," "with respect to the Consolidation of Shares into Stock," and "with respect to affording Access to the Special Act by all Parties interested," and Part I. (relating to Cancellation and Surrender of Shares) and Part II. (relating to additional Capital) of "The Companies Clauses Act, 1863," shall be incorporated with this Act, and shall apply to all Shares created and to Mortgages granted and Money borrowed under the Powers of this Act.

Extending
to new
Capital
Powers of
Act of 1864.

14. The Powers conferred by the Act of 1864 as to the Division of Capital into "Preferred" and "Deferred" Shares shall extend and apply to the new Capital by this Act authorized to be raised.

As to Votes
of Holders
of "Pre-
ferred
Shares."

15. It shall be lawful for the Company on the Creation of Half Shares, whether under the Act of 1864 or this Act, to declare that the Holders of "Preferred Shares" shall not be entitled to any Vote in respect thereof.

16. The

The Newry and Greenore Railway (Further Powers) Act, 1865.

16. The Company shall abandon the Construction of the following Portions of their authorized Undertaking ; namely,

Company to abandon certain Portions of authorized Railway.

So much of Railway No. 1. authorized by the Act of 1863 as is situate between the Point of Junction or Divergence from the *Albert Basin* Extension of the *Newry and Armagh* Railway, in the Townland of *Ballinlare* in the Parish of *Newry* and County of *Armagh*, and a Field in the Townland of *Cloghoge* in the Parish of *Killevy* and County of *Armagh*, numbered 2. on the deposited Plans referred to in the said Act :

So much of the said Railway No. 1. as is situate between a Point (in the Townland of the Liberties of *Carlingford*, upon the Extra-parochial Shores of *Carlingford Lough*, numbered 3. on the said Plans,) lying immediately opposite and contiguous to a Field numbered 78. on those Plans, and a Point on the said Shores adjoining the public Road, and opposite the Sluice, numbered respectively 121. and 125. on those Plans.

17. In any Case where, before the passing of this Act, any Contract has been entered into or Notice given by the Company for purchasing or using any Land which the Company were empowered to purchase for the Purpose of constructing the Portions of Railway so required to be abandoned as aforesaid, the Company shall make to the Owners and Occupiers of and 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 such 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 thereof; provided that the Authority hereby given for abandoning the said Portions of Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the 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 the Line of the Railway, pursuant to the Provisions for that Purpose in "The Lands Clauses Consolidation Act, 1845," contained.

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

18. Subject to the Provisions of this Act, the Company may from from Time to Time enter upon, take, use, and appropriate all or any of the Lands defined on the deposited Plans and described in the Book of Reference to such Plans.

Power to take Lands.

The Newry and Greenore Railway (Further Powers) Act, 1865.

Powers for compulsory Purchases limited.

19. The Powers by this Act conferred for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act.

Power to make new Lines of Railway and other Works.

20. It shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, to make and maintain the Railways and other Works herein-after described in the Lines and according to the Levels shown on the deposited Plans and Sections, and in and upon the Lands which the Company are by this Act authorized to enter upon, take, and use.

As to Deposit of Plans with Clerks of Unions.

21. And whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that Certificates of any Omissions, Misstatements, or erroneous Descriptions in certain Plans and Books of Reference therein referred to shall be deposited with the Postmasters of the Post Towns in or nearest to the several Parishes in *Ireland* in which the Lands affected thereby shall 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 shall 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, all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, shall be read and construed as if, instead of the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," the Expression "Clerks of the Unions within which such Parishes are included in *Ireland*," and as if instead of the Words "Postmasters" the Words "Clerks of the Unions" had been used and inserted in that Act throughout those Provisions.

Describing Works.

22. The Works hereby authorized are the following:

1. A new or substituted Line of Railway to commence from a Point on the *Albert Basin* Extension of the *Newry and Armagh* Railway, immediately South of where that Extension crosses *Bridge Street* in *Newry*, and to terminate by a Junction with Railway No. 1. authorized by the Act of 1863, in the before-mentioned Field in the Townland of *Cloghoge* in the Parish of *Killeavy*:
2. A new or substituted Line of Railway in the Parish of *Carlingford*, and on the Extra-parochial Shores of *Carlingford Lough*, to commence and terminate at the same Points as the Portion of the

the

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the authorized Line at *Carlingford* by this Act required to be abandoned :

3. All necessary Works, Stations, Approaches, and Conveniences in connexion with the Railways :
4. The crossing of the Boat Slip of the Coast-guard Station at *Carlingford* on the Level instead of by an Arch, as prescribed by the 58th Section of the Act of 1863 :
5. The Erection of an Hotel at *Greenore*, and of other Hotels near any of the Stations of the Company :
6. Two Reservoirs, with all needful Excavations, Embankments, Approaches, and other Works, in the Townland of the Liberties of *Carlingford* in the Parish of *Carlingford*; one of the Reservoirs to be situate on Fields belonging to *Thomas Baron Clermont*, and in the Occupation of *Felix Donnelly*, and the other upon Fields belong to the same Owner, but occupied by *George Brown*, *Joseph Anderson*, and *Robert Parks* :
7. A Conduit or Pipe from the said Reservoirs to a Field in the said Townland and Parish, numbered 71. on the Plans referred to in the Act of 1863 :
8. The taking and Diversion of the Stream called *Golden River*.

23. Provided always, That between the First Furlong and the Sixth Furlong Two Chains, as marked and measured upon the deposited Plans, the Company shall not, in the Construction or Maintenance of the new or substituted Line of Railway firstly herein-before described, enter upon, take, use, or arch over any Part of the Drain called the Back Drain, nor enter upon, take, or use any Part of the Land situate between the said Drain and the Canal, except for the Purpose of making use of such Drain as an Outlet for any Waters that may be required to be got rid of in the Construction or Maintenance of the said Railway; but no Culvert to or from the said Drain shall be made within One hundred Feet of the Entrance to the Aqueduct under the Canal, and no Part of the remaining Portion of the said new or substituted Line of Railway shall be constructed, and the Company shall not acquire, use, or occupy for the Purposes of the said remaining Portion of Railway any Lands at a less Distance than Twenty-six Feet from the Eastern Edge of the present Towing-path of the *Newry* Navigation without the previous Consent in Writing of the *Newry* Navigation Company under the Hand of their Secretary or Engineer.

For Protec
tion of
Newry Navi-
gation.

24. The Provisions of the *Newry and Greenore* Railway Act, 1863, comprised in Section 28. thereof, for the Protection of the *Newry* Navigation Company, shall extend and apply so far as applicable to the Company and to the Works hereby authorized.

Extending
Sect. 28. of
26 & 27 Vict.
c. cexix.
extended to
this Act.

25. Subject

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Level
Crossing.

25. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," and "The Railways Clauses Act, 1863," contained, it shall be lawful for the Company in the Construction of the Railway secondly herein-before described to carry the same across and upon the Level of the public Road in the Liberties of *Carlingford*, numbered Eighty-nine on the deposited Plans: Provided always, that in passing through the Tunnel to approach the level Crossing all Trains shall slacken Speed, and shall pass through the Tunnel and into the Station at a Speed not exceeding Four Miles an Hour.

Crossing of
Boat Slip at
Carlingford
not to inter-
fere with
Boats.

26. Provided always, That the Crossing of the Boat Slip of the Coast-guard Station at *Carlingford* shall be so made and maintained as not at any Time to interfere with the launching and hauling up of Boats at such Slip.

For Protec-
tion of
Lighthouse
at *Greenore*.

27. The Company shall not, in the Construction of the Works by this Act authorized, without the previous Consent in Writing of the Port of *Dublin* Corporation under their Common Seal, erect any Building or do any other Work, Matter, or Thing so as to obstruct or interfere with the Light of the Lighthouse at *Greenore* belonging to such Corporation.

Limiting
Lines of
Railway in
the Case of
level Cross-
ings.

28. No more than a Single Line of Railway shall be laid down on any level Crossing authorized by this Act so long as the Railway shall consist of a Single Line of Railway, and in no Case shall more than a Double Line of Railway be laid down on any such level Crossing.

Period for
Completion
of Works.

29. If the Railways and Waterworks shall not be completed within Three Years from the passing of this Act, then on the Expiration of such Period the Powers by this Act granted to the Company for making the said respective Works or otherwise in relation thereto shall cease to be exercised, except as to so much thereof respectively as shall then be completed.

Railways as
to Tolls and
otherwise to
form Part of
the Rail-
ways autho-
rized by Act
of 1863.

30. The Company may demand and receive for and in respect of the Railways the same Tolls and Charges as they are by the Act of 1863 authorized to receive in respect of the Railways by that Act authorized; and, subject to the Provisions of this Act, the Railways shall for the Purposes of Tolls and in all other respects be deemed Part of those Railways, and as if they had been authorized by the Act of 1863.

Power to
deviate in
respect of
Waterworks.

31. In constructing the Waterworks the Company may deviate to any Extent not exceeding the Limits of Deviation shown on the deposited Plans of the said Waterworks, and may also deviate from the

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the Levels shown on the deposited Sections to any Extent not exceeding Three Feet in respect of the Reservoirs, and in respect of the Conduits or Pipes not exceeding Five Feet.

32. The Company may supply with Water the Masters of Vessels lying alongside of any Pier of the Company, and the Company may charge such Masters of Vessels for any Water so supplied a Sum not exceeding One Shilling for every One hundred Gallons, and the Company may supply Water to any Vessel in *Carlingford Lough*, and not lying alongside of any Pier, at such Rate *per* Ton as may be agreed on between the Company and the Master of such Vessel.

Water to be supplied to Vessels.

33. Notwithstanding anything in the Act of 1863 contained to the contrary, the following Provisions shall be in force with respect to "the *Greenore Works Committee*":

Alteration of Provisions in Act of 1863, as to Joint Committee.

1. Three shall be a Quorum thereof:

2. If the Company or the *Dundalk and Greenore Railway Company* are dissatisfied with any Resolution or other Proceeding of the Committee, the Company so dissatisfied may, within Two Weeks after the passing of such Resolution, or the Adoption of such other Proceeding by Writing under the Hand of their Secretary, require the Arbitrator appointed under the Forty-fourth Section of the Act of 1863, herein-after called "the Arbitrator," to appoint a Time and Place to inquire into and determine the Matter complained of, and the Arbitrator shall thereupon have Power to inquire into and adjudicate upon any Question relating to such Resolution or other Proceeding, and shall, within Two Weeks after the Receipt of such Requisition, appoint a Time and Place to inquire into and determine the same, and shall summon all Parties interested to attend:

3. The respective Secretaries, Solicitors, and Engineers of the Company, and the *Dundalk and Greenore Railway Company* for the Time being shall be the Secretaries, Solicitors, and Engineers of the Committee; and Duplicate Minutes of the Proceedings of the Committee shall be kept, the one by the Secretary of the Company and the other by the Secretary of the *Dundalk and Greenore Railway Company*: Provided, that no Proceeding of the Committee shall be rendered invalid in consequence of the Absence of either of the Secretaries, or such Proceeding not having been entered in both Minute Books; and in the event of any Proceeding of the Committee not being entered in both Minute Books, the Secretary in whose Minute Book the same shall be entered shall forthwith transmit a Copy of such Proceeding to the other Secretary:

4. The Secretaries of the Committee or either of them shall give to each Member of the Committee and its Officers at least One

[Local.]

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Week's

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Week's previous Notice of every Meeting of the Committee, and they or he shall in such Notice state the Matters to be considered at such Meeting :

5. Any Two Members of the Committee may by Writing under their Hands, addressed and given to either of the Secretaries, require him to convene a Meeting of the Committee, and he shall convene a Meeting of the Committee accordingly :
6. If the Arbitrator die or become incapable or unfit to act, or for Twenty consecutive Days refuse or fail to act as Arbitrator when thereunto required, then and in every or any such Case it shall be lawful for the Committee, or, as the Case may be, the Board of Trade, to proceed to appoint an Arbitrator in the Place of the Arbitrator so dying or becoming incapable or unfit or refusing or failing to act :
7. It shall be lawful for the Arbitrator to call for the Production of any Documents or Evidence in the Possession of the Committee, or of the Company, or of the *Dundalk and Greenore Railway Company* respectively, or which they respectively can produce, and which the Arbitrator shall think necessary for determining the Matters referred to him, and may examine the Witnesses of the Parties respectively on Oath, and may administer the requisite Oath :
8. It shall be lawful for the Arbitrator to proceed in the Business of the Reference made to him from Time to Time as he shall think fit, and he may proceed in the Absence of all or any of the Parties in every Case in which, after giving One Week's Notice to the Parties in that Behalf respectively, the Arbitrator shall think fit so to proceed :
9. The Awards made from Time to Time by the Arbitrator, if made in Writing under his Hand, shall be final and binding upon the Parties, and may at any Time be made a Rule of any of Her Majesty's Superior Courts of Record at *Dublin* upon the Application of any of the Parties interested.

Interest on
Calls not to
be paid out
of Capital.

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

35. It

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

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

36. Nothing herein contained shall be deemed or construed to exempt the Railways of the Company, or the Company, from the Provisions of any General Act relative 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 and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized to be taken by the Company, or of the Rates for small Parcels.

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

37. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the previous Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); and nothing in the said Act or Acts contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority now or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of the Crown.

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

Expenses of Act.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1864.

