



ANNO DECIMO QUINTO & DECIMO SEXTO

VICTORIÆ REGINÆ.

Cap. cxxxvii.

An Act to enable the *Midland Great Western Railway of Ireland Company* to make a Deviation in the authorized Line to *Longford*, and a Branch Railway to the Town of *Cavan*, and for other Purposes. [30th June 1852.]

WHEREAS by the Local and Personal Act, 8 and 9 8 & 9 Vict. c. 119. *Victoria*, Chapter 119, called "The *Midland Great Western Railway of Ireland Act, 1845*," the *Midland Great Western Railway of Ireland Company* were incorporated, and authorized to make a Railway from *Dublin* to *Mullingar* and *Longford*, and to purchase the New Royal Canal, which, on the Purchase thereof being completed, was to vest in the said Railway Company, who were to maintain the Navigation of the same as theretofore: And 9 & 10 Vict. c. 210. whereas by the Local and Personal Act, 9 and 10 *Victoria*, Chapter 210, called "The *Midland Great Western of Ireland (Liffy Branch and Longford Deviation) Act, 1846*," the said Company were authorized to make a Deviation in the Line of the said Railway to *Longford*, and to make a Railway to the River *Liffy*; and the said Railway Company and the New Royal Canal Company were declared to be One Company: And whereas by the Local and Personal Act, 9 and 9 & 10 Vict. c. 224. *Victoria*, Chapter 224,

[Local.]

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10 *Victoria*,

Midland Great Western Railway of Ireland (Longford Deviation and Cavan Branch) Act, 1852.

10 & 11 Vict. c. 130. 10 *Victoria*, Chapter 224, called "The *Midland Great Western Railway of Ireland Act (Mullingar to Athlone)*, 1846," the said Company were authorized to make a Railway from *Mullingar* to *Athlone*: And whereas by the Local and Personal Act, 10 and 11 *Victoria*, Chapter 130, called "The *Midland Great Western Railway of Ireland (Newcastle, Anniskinnan, and Baltrasna Deviations)* Act, 1847," the said Company were authorized to make several Deviations in the authorized Line of the said Railway, and to amend the Acts relating thereto: And whereas by the Local and Personal Act, 10 and 11 *Victoria*, Chapter 176, called "The *Midland Great Western Railway of Ireland (Athlone to Galway Extension)* Act, 1847," the said Company were authorized to make a Railway from *Athlone* to *Galway*: And whereas by the Local and Personal Act, 11 and 12 *Victoria*, Chapter 76, called "The *Midland Great Western Railway of Ireland (Moate Deviation)* Act, 1848," the said Company were authorized to make a Deviation in the Line from *Mullingar* to *Athlone*, and to amend the Acts relating to the said Company: And whereas by the Act 12 and 13 *Victoria*, Chapter 62, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to the Midland Great Western Railway of Ireland Company*, the said Company have borrowed the Sum of Five hundred thousand Pounds thereby authorized, and completed the Line from *Athlone* to *Galway* within the Time therein limited: And whereas by the Local and Personal Act, 13 and 14 *Victoria*, Chapter 88, called "The *Midland Great Western Railway of Ireland (Deviations and Amendment)* Act, 1850," the said Company were authorized to make certain other Deviations in the Line of the Railway, and the Periods limited for compulsory Purchase of Lands on the Lines of Railway authorized by the first and second recited Acts were extended: And whereas the making of a Deviation between *Mullingar* and *Longford*, and of a Branch Railway from and out of the said Deviation to the Town of *Cavan*, as herein-after mentioned and described, would be of great Public Advantage and Convenience: And whereas the said *Midland Great Western Railway of Ireland Company* are willing at their own Expense to make such Deviation and Branch Railway: And whereas it is expedient to transfer certain Liabilities of the Trustees of the late New Royal Canal Company to the said *Midland Great Western Railway of Ireland Company*: 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; (that is to say,)

That,

Midland Great Western Railway of Ireland (Longford Deviation and Cavan Branch) Act, 1852.

I. That, except as by this Act expressly enacted, nothing in this Act contained shall be deemed to alter, amend, or vary the Provisions of the several Acts relating to the *Midland Great Western Railway of Ireland* Company; and the Deviation, Branch, and Works by this Act authorized shall be chargeable with the Repayment of the Sum of Five hundred thousand Pounds and Interest, borrowed under the Provisions of the said recited Act (12 and 13 *Victoria*, Chapter 62), in like Manner as the Undertaking, Railways, and Works of the Company on the Security whereof the same was so borrowed.

Provisions of recited Acts of Company not to be affected by this Act, except where expressly enacted.

II. That "The Companies Clauses Consolidation Act, 1845," and so much of "The Lands Clauses Consolidation Act, 1845," as is not inconsistent with or altered by "The Railways Act (*Ireland*), 1851," "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*) 1851," shall, so far as the same are not expressly varied by this Act, be held to apply to the Company and to the Deviation and Branch by this Act authorized to be made, and shall be read and construed as forming Part of this Act.

8 & 9 Vict., cc. 16. 18. 20. and 14 & 15 Vict. c. 70. extended to this Act.

III. That in citing this Act in other Acts of Parliament, and in legal Instruments, Proceedings at Law or in Equity, or other Proceedings whatsoever, it shall be sufficient to use the Expression "*Midland Great Western Railway of Ireland (Longford Deviation and Cavan Branch) Act, 1852.*"

Short Title.

IV. That it shall be lawful for the Company to make and maintain a Deviation from the Line of Railway authorized by the firstly and secondly recited Acts to be made between *Mullingar* and *Longford*, and also a Branch Railway from and out of the said Deviation to the Town of *Cavan*, with all proper Works and Conveniences connected therewith.

Power to make Deviation from authorized Line to Longford and Branch to Cavan.

V. And whereas Plans and Sections of the proposed Deviation and the Branch therefrom, showing the Lines and Levels thereof, and also Books of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which the same are intended to pass, have been deposited with the Clerks of the Peace for the Counties of *Westmeath*, *Longford*, and *Cavan* respectively: Be it enacted, That, subject to the Provisions of this Act and of the several Acts incorporated therewith, it shall be lawful for the Company to make the said Deviation and Branch Railway and Works, 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 such Purpose.

Works to be executed according to deposited Plans.

VI. That

Midland Great Western Railway of Ireland (Longford Deviation and Cavan Branch) Act, 1852.

Line of Deviation to Longford.

VI. That the Deviation Line of Railway shall commence by a Junction with the Main Line from *Dublin* to *Galway*, at a Point in the Townland of *Mullingar* in the Parish of *Mullingar* and the County of *Westmeath*, numbered 15 on the Plans of the Railway referred to in the said "*Midland Great Western Railway of Ireland (Liffy Branch and Longford Deviation) Act, 1846,*" and shall pass from, in, through, and into the several Townlands, Parishes, and Extra-parochial Places following, or some of them; (that is to say,) the Townlands of *Mullingar*, *Commons*, *Robinstown Tyrrell*, *Robinstown Levinge*, *Ballyglass*, *Irishtown*, *Culleenmore*, *Farranistick*, and *Lough Owel*, in the Parish of *Mullingar*; the Townlands of *Lough Owel*, *Portnashangan*, *Ballynafid*, and *Clanhugh Demesne*, in the Parish of *Portnashangan*; the Townlands of *Clanhugh Demesne*, *Ballinafid*, and *Culleendarragh*, in the Parish of *Leny*; the Townlands of *Heathland*, *Fulmort*, *Lackan*, and *Lackanwood*, in the Parish of *Lackan*; the Townlands of *Rathganny* and *Soho* in the Parish of *Multyfarnham*; the Townlands of *Hospitalbank*, *Derradd*, *Clonkeen*, *Garriskil*, *Culvin*, and *Rath*, in the Parish of *Street*; and the Townlands of *Russagh*, *Loughanstown*, *Loughanstown Lower* or *Slievelahan*, and *Windtown North*, in the Parish of *Russagh*, all in the said County of *Westmeath*; the Townlands of *Clonwhelan*, *Kilsallagh*, *Cam*, *Lisnagrish*, *Garryandrew*, *Edgworthstown*, *Tinnynarr*, *Abbeyland*, *Ballindagny*, and *Cullyvore*, in the Parish of *Mostrim*, and in the said County of *Longford*; and shall terminate by a Junction with the original Line at a certain Point in a Field marked Number 17 on the Plans referred to in "*The Midland Great Western Railway of Ireland Act, 1845,*" and situate in the Townland of *Ballindagny* and *Cullyvore* in the Parish of *Mostrim* and the said County of *Longford* aforesaid.

Branch Railway to Cavan.

VII. That the said Branch Railway to *Cavan* shall commence from and out of the said intended Deviation Line of Railway at a Point in a Field marked Number 17 on the Plans deposited as hereinbefore mentioned in the Townland of *Derradd* in the Parish of *Street* and County of *Westmeath*, and shall pass from, in, through, or into the several Townlands, Parishes, Extra-parochial, and other Places, or some of them; (that is to say,) the Townlands of *Derradd*, *Clonkeen*, *Bottomy*, *Dunamon*, *Fearmore*, *Clonconnell*, *Correaly*, *Coolnagun*, *Lisnagappagh*, *Lisduff*, *Kilshallow*, *Clonmore*, *Corralanna*, and *Milkernagh*, in the Parish of *Street*, all in the said County of *Westmeath*; the Townlands of *Cooldooney*, *Ranaghanbaun*, *Ranaghan*, *Tonymore South*, *Tonymore North*, and *Lough Kinale*, in the Parish of *Abbeylara*; and the Townlands of *Melkernagh*, *Rincoolagh*, *Springtown*, *Lough Kinale*, and *Ballywillin*, in the Parish of *Granard*, all in the said County of *Longford*; the Townlands of *Cullaboy Upper*,
Bracklagh,

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Bracklagh, Lisnadarragh, Cullaboy Lower, Freeduff, Toghernacross, Bawn, Pottlebane, Kilcogy, Dundavan, Lisnatinny, Mullaghoran, Carnagh Upper, Carnagh Lower, Grousehall, Killydoon, Drumhawnagh, Drumcor, and Drumhawnagh, in the Parish of Drumlumman; the Townlands of Ballytrust, Oghill, Drumbrade, Lackan Upper, Lackan Lower, Legaginny, Legaweel, and Coolnacarrick, in the Parish of Ballintemple; the Townlands of Crenard, Shantully, Kevit Lower, Gortnashangan Upper or Hermitage, Kevit Upper or Castle-cosby, Tircullen, Drumleny, Tonymore, and Clonagonnell, in the Parish of Kilmore; the Townlands of Drumcormick, Gartnasillagh, Derrycramph, Swellan Lower, and Swellan Upper, in the Parish of Urney, all in the said County of Cavan; and shall terminate at or near a Field marked Number 1, on the Plans deposited as herein-before mentioned, situate in the Townland of Swellan Upper in the Parish of Urney and the County of Cavan aforesaid.

VIII. Provided always, That the Company shall not proceed with the Construction of the said *Cavan Branch Line of Railway*, unless or until they shall also proceed with, or shall have completed the Construction of the said *Line of Railway from Mullingar to Longford*, as authorized to be made and maintained by this Act and the several Acts incorporated herewith.

Deviation to Longford to be made before Construction of Branch to Cavan.

IX. That the Deviation and Branch by this Act authorized shall be deemed Part of the Undertaking of the Company, and the Company may apply to the Purposes of this Act any Sum not exceeding Four hundred thousand Pounds of the Monies raised and authorized to be raised under the Powers of the several Acts relating to the Company, or any of them which may now remain unappropriated, or are not specially applicable to other Purposes.

New Lines to form Part of original Undertaking.

X. That the Company shall abandon such Parts of the original Line which by the said recited Acts 8 and 9 *Victoria*, Chapter 119, and 9 and 10 *Victoria*, Chapter 210, the Company were empowered to make, as lie between the Point of Junction with the Main Line from *Dublin to Galway* in the Townland of *Ballina* and Parish of *Mullingar* in the County of *Westmeath*, and the Townland of *Abbeyland* in the Parish of *Mostrim* in the County of *Longford*, and passing from, in, through, or into the Townlands and Parishes following; (that is to say,) the Townlands of *Ballina, Ballinaclin, Tuitstown, Drumloose, Baleagny, and Balgarrett*, in the Parish of *Mullingar* and County of *Westmeath*; the Townlands of *Shanonagh, Coolnahay, Gaddrystown, and Cartron*, in the Parish of *Templeoran* and County of *Westmeath*; the Townlands of *Calliaghstown and Ballintue* in the Parish of *Kilmacnevan* and County of *Westmeath*; the Townlands of

Power to abandon Part of original Line.

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Kill,

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Kill, Balroe, Ballysallagh Tuite, Ballysallagh Fox, Ballinacarrigy (Old), Moranstown, Ballinacarrigy, Cumminstown, Ballallen, and Ballycorkey, in the Parish of Kilbixy and County of Westmeath ; the Townlands of Bardanstown and Rathclittagh in the Parish of Rathaspick and County of Westmeath ; the Townlands of Davistown and Kilpatrick in the Parish of Rathconrath and County of Westmeath ; the Townlands of Mace, Kilmacahill or Caraun, Rathaspick, Crumlin or Rockfield, Clonaboy, Derrydowan (Middle), in the Parish of Rathaspick and County of Westmeath ; and the Townlands of Lessanure, Barne, Ballindagny, and Cullyvore, Lackan, Tinnynarr, Liscahill, Shantum, and Abbeyland, in the Parish of Mostrim and County of Longford aforesaid ; and that all the Powers and Authorities given by the said recited Acts to the Company in reference to the Parts so abandoned shall immediately after the passing of this Act cease and determine.

Respecting
Plans to be
deposited
with Clerks
of Unions in-
stead of Post-
masters.

XI. 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 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 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 " Railway Clauses Consolidation Act, 1845," relating to the Matters aforesaid, and 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 Acts 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.

Power to
cross certain
Roads on
the Level.

XII. That it shall be lawful for the Company to construct the said Deviation and Branch across and on the Level of the following Turnpike

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Turnpike Roads and public Carriage Roads which are numbered on the Plans deposited as herein-before mentioned ; (that is to say,)

In the Townland of *Mullingar* and Parish of *Mullingar*, numbered 5.

In the Townland of *Cullenmore* and Parish of *Mullingar*, respectively numbered 16 and 30^a.

In the Townlands of *Rath* and *Culvin* and Parish of *Street*, numbered 1 and 26.

In the Townland of *Clonwhelan* in the Parish of *Mostrim*, numbered 13.

In the Townland of *Tinnynar* in the Parish of *Mostrim*, numbered 21.

In the Townland of *Lisnagappagh* in the Parish of *Street*, numbered 3.

In the Townland of *Lisduff* in the Parish of *Street*, numbered 4.

In the Townland of *Clonmore* in the Parish of *Street*, numbered 38.

In the Townland of *Cooldoney* in the Parish of *Abbeylara*, numbered 33^a.

In the Townland of *Cullaboy Lower* in the Parish of *Drumlumman*, numbered 2.

In the Townland of *Mullaghoran* in the Parish of *Drumlumman*, numbered 12.

In the Townland of *Drumhaunagh* in the Parish of *Drumlumman*, numbered 20.

In the Townland of *Legaginny* in the Parish of *Ballintemple*, numbered 31.

In the Townland of *Cunard* in the Parish of *Kilmore*, numbered 6.

In the Townland of *Kevit Lower* in the Parish of *Kilmore*, numbered 23.

XIII. That for the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the Points where either the said Deviation or Branch crosses the before-mentioned Roads on a Level ; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on a Level, or with regard to the Speed at which Trains shall pass such Roads, 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 to maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any 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

Company to erect Stations and Lodges at level Crossings, and abide by Rules, &c. of Board of Trade.

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a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of Trade may require Bridges or Arches to be constructed instead of level Crossings.

XIV. That 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 hereafter to require the Company within such Time as the said Board shall direct, and at the Expense of the Company, to carry any of the before-mentioned Roads either under or over the said Deviation or Branch, by means of a Bridge or Arch in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board the best adapted for removing or diminishing the Danger arising from such level Crossing: Provided always, that if the said Roads shall, in pursuance of any Requirement of the said Board, be carried either under or over the said Deviation or Branch, then and in that Case it shall not be necessary for the Company to erect or maintain such Stations or Lodges 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.

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

XV. That in every Case where before the passing of this Act any Contract has been entered into or Notice given by the Company for purchasing any Lands which the Company were by the said recited Acts empowered to purchase for the Purpose of constructing the Portions of the said Railway so authorized to be abandoned as aforesaid, the 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 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 Company were so empowered to purchase as aforesaid, to receive from the Company Compensation for any Damage which may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying, taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out of the Line of the said Railway, pursuant to the Provisions for that Purpose in the said "Lands Clauses Consolidation Act, 1845," contained.

XVI. That

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XVI. That all Agreements which at the Time of the passing of this Act shall have been entered into between the Company and any Persons for the Purchase by the Company of the Interest of any such Persons respectively in any Lands, Tenements, Hereditaments, or Premises required for the Purposes of the said Deviation and Branch authorized by this Act, and also any Conveyance, Assignment, Surrender, or other Instrument which may have been made to the Company of any such Lands, Tenements, Hereditaments, and Premises, shall be deemed and taken and shall have the same Effect as if the same were entered into and executed subsequent to this Act, and under the several Powers and Provisions of this Act and of the said recited Acts relating to the Company, and the Acts incorporated herewith.

Agreements made prior to passing of Act for Purchase of Land required for the Deviation and Branch to be valid.

XVII. That it shall be lawful for the Company, in addition to the Lands authorized to be purchased by the said recited Acts for additional or extraordinary Purposes, to purchase not exceeding Ten Acres for similar Purposes connected with the Deviation and Branch hereby authorized.

Lands for extraordinary Purposes.

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

Compulsory Purchase of Lands limited.

XIX. That after the Expiration of Four Years from the passing of this Act, all the Powers hereby granted to the Company for making and executing the said Deviation and Branch, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Period for Completion of Works.

XX. That the Company may, subject to the Provisions in the said first-recited Act and this Act contained, lawfully demand and receive in respect of the said Deviation and Branch hereby authorized to be made, for and in respect of all Articles, Matters, and Things conveyed upon the same or any Part thereof respectively, and in respect of all Passengers, Beasts, Cattle, and Animals conveyed in Carriages, and for Carriages conveyed on the same or any Part thereof respectively, and for and in respect of Locomotive Engines or other Power supplied by the Company, and for the Conveyance upon the said Deviation and Branch or any Part thereof, respectively, and Waggon or Carriages belonging to the Company, of any Passengers, Cattle or other Animals, Goods, Wares, Merchandise, Articles, Matters, and Things, such Amount of Rates, Tolls, or other Charges as by the said first-recited Act the Company are authorized to demand and receive in respect of the Railway by the said

Company may take same Tolls as in first-recited Act

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recited Acts 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, and also the Powers for leasing the same, shall extend and be applicable to the Tolls to be levied by virtue of this Act.

Deposits for future Bills not to be paid out of Capital of the Company.

XXI. That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, 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 execute any other Work or Undertaking.

Railway 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., 9 & 10 Vict. cc. 57. & 105., and 14 & 15 Vict. c. 64.

XXII. 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 Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act 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 another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the same Session of Parliament, intituled *An Act for constituting Commissioners of Railways*; and another Act was passed in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the Company, so far as the same shall be applicable thereto.

Railway not exempt from Provisions of future General Acts.

XXIII. That nothing herein contained shall be deemed or construed to exempt the Company 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 effectual Audit of the Accounts of Railway Companies,

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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.

XXIV. And whereas under and by virtue of the Powers and Provisions of the said first-recited Act, the said Railway Company have purchased the Royal Canal from the New Royal Canal Company in said Act mentioned: And whereas by the said Act the Directors of said Canal Company for the Time being were constituted Trustees for the Proprietors or Stockholders of said Canal to receive the Purchase Money, and any other Sums due to the then New Royal Canal Company, as therein mentioned, from the said Railway Company, and to pay over and distribute the same to and among the Persons entitled thereto, and otherwise to manage and wind up the Affairs of the Stockholders or Proprietors of said Canal: And whereas the said Railway Company have paid to the said Trustees of the said Canal Company the Purchase Money mentioned in the said Act, and the said Trustees have in pursuance of the said Trust paid and distributed the greater Portion thereof to and amongst such of the Proprietors or Stockholders of the said Canal as came forward to claim their respective Proportions thereof, but a Sum still remains undistributed in the Hands of the said Trustees: And whereas several other Persons whose Names appear upon the Books of the said Canal Company as Proprietors or Stockholders therein have not brought forward their Claims, and the said Trustees are ignorant whether such Persons respectively are living or dead, and if dead whether they have left any personal Representatives or Representative: And whereas the said Trustees of the said Canal Company are desirous of winding up the Affairs of the said late Canal Company, and of being discharged from the remaining Part of the said Trust so created by the said recited Act: And whereas the said Railway Company have applied to the said Trustees to hand over any Balance remaining in their Hands undistributed, and agreed to accept the same and undertake to fulfil all the remaining Trusts required by said Act: Be it therefore enacted, That it shall and may be lawful to and for the said Trustees for the Time being or the Majority of them, not being less than Three, in Six Months after Notice of their Intention so to do, and of making a final Dividend, being Three Times published in the "*Dublin Gazette*," and also in some One or more Newspaper or Newspapers published in the City of *Dublin*, to pay and hand over to the said Railway Company (if they shall think proper so to do, but not otherwise,) all Sum and Sums of Money, whether the same shall be Part of the said Purchase Money

Transferring
unclaimed
Stock, &c. in
Canal Com-
pany to Rail-
way Com-
pany.

or

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or any other Sum or Sums of Money, which shall then be in their Hands under or by virtue of the said Act or the Trust created thereby; of which Payment any Receipt or Receipts in Writing, expressing the same under the Common Seal of the said Railway Company, and signed by Three or more of the Directors of the said Company for the Time being, shall be sufficient Evidence; but nevertheless upon and for Trusts and Purposes in the said Act mentioned, or such of them as shall then remain unperformed; and thereupon and from thenceforth the said Trust Funds so to be transferred as aforesaid, shall become vested in the said Railway Company upon and for all such and the same Trusts, to all Intents and Purposes, as the same were subject to in the Hands of the said Trustees of the said Canal Company; and all Trusts, Liabilities, and Duties created and imposed by the said Act, and which shall be then in force and subsisting, shall be from thenceforth transferred from the said Trustees and attach to the said Railway Company; and the said Trustees and all other Trustees of the said Canal Company shall from thenceforth be released and discharged from all further and future Trusts, Duties, and Responsibility regarding the said Trusts or the said Trust Funds, the entire of which Trusts, Duties, and Responsibility shall from thenceforward attach to, be assumed, and borne by the said Railway Company exclusively, to the same Extent, and in such and the same Manner to all Intents and Purposes, as the Trustees of the said Canal Company would have been liable under the said recited Act if this Act had not been passed.

Expenses of
Act.

XXV. That all the Costs, Charges, and Expenses of and attending the passing of this Act or incidental thereto shall be paid by the Company.

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