



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. liii.

An Act to enable the *Ulster* Railway Company to make a Railway from *Armagh* to *Monaghan*, and to enlarge their Station at *Belfast*; and for other Purposes. [15th June 1855.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from the Town of Belfast to the City of Armagh in the Province of Ulster in Ireland*, by which Act a Company was incorporated by the Name of "The *Ulster* Railway Company:" And whereas another Act was passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to amend the Act relating to the Ulster Railway Company, and to enable the said Company to make a Railway from Portadown to Armagh*: And whereas it is expedient that the *Ulster* Railway Company (herein-after described and referred to as "the Company") should be enabled to construct a Railway from the *Ulster* Railway at *Armagh* to the Town of *Monaghan*: And whereas it is expedient that the Company should be enabled to enlarge their Station at *Belfast*: And whereas it is expedient to provide, as herein-after mentioned, with respect to Directors, and Periods for holding General Meetings and balancing Books of the Company; but for the Purposes

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

8 & 9 Vict.
cc. 18. & 20.
and
14 & 15 Vict.
c. 51. in-
corporated.

I. The Clauses and Provisions of "The Railways Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," [so far as the same is consistent with "The Railways Act (*Ireland*), 1851,"] and "The Railways Act (*Ireland*), 1851," shall be incorporated with and form Part of this Act.

"The Rail-
way."

II. In this Act the Expression "the Railway" shall mean the Railway from *Armagh* to *Monaghan* by this Act authorized to be made, and the Works connected with that Railway.

Power to
make
Railway.

III. It shall be lawful for the Company to make and maintain a Railway, with all proper Works and Conveniences connected therewith, commencing by a Junction with the *Ulster* Railway in the Parish of *Armagh* in the County of *Armagh*, and terminating in the Parish of *Monaghan* in the County of *Monaghan*.

Power to
enlarge
Station at
Belfast.

IV. It shall be lawful for the Company to enlarge and improve their existing Station at *Belfast*.

Railway and
Station to
be made or
enlarged
according to
deposited
Plans and
Sections.

V. Whereas Plans showing the Line of the Railway and the Extent to which it is intended to enlarge the said Station, and Sections showing the Levels of the Railway, and also Books of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken for the Purposes of the Railway and of the said Station, have been deposited for public Inspection with the Clerks of the Peace of the Counties of *Armagh*, *Monaghan*, and *Antrim* respectively: Therefore, subject to the Provisions and Powers of Deviation in this Act and in the "Railways Clauses Consolidation Act, 1845," contained, the Railway shall be made in the Line or Course and upon the Lands delineated upon the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and the said Station may be enlarged upon the Lands and to the Extent delineated upon the said Plans; and, subject to the Provisions in this and the recited Acts contained, it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for the Purposes of the Railway or of enlarging the said Station.

VI. Whereas

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VI. Whereas by the "Railways Clauses Consolidation Act, 1845," it is provided that Certificates of any Omissions, Mis-statement, or erroneous Description in certain Plans and Books of Reference therein referred to should be deposited with the Postmasters of the Post Towns in or nearest to the several Parishes in *Ireland* in which the Lands 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 Clerks of the Poor Law Unions instead of such Postmasters: Therefore, with reference to this Act, in all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, the Expression "the Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or the Word "Postmaster," shall be read and construed as if the Expression "Clerks of the Unions within which Parishes are included in *Ireland*," or the Words "Clerk of the Union," as the Case may be, had been used and inserted in such Act in lieu of the Expression "the Postmaster of the Post Towns in or nearest to such Parishes in *Ireland*," or in lieu of the Word "Postmaster," as the Case may be.

As to deposit
of Plans
with Clerks
of Unions.

VII. It shall be lawful for the Company, by Agreement, to purchase Lands for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," but the Quantity of Land so to be purchased shall not exceed Fifteen Acres.

Land for
extraordi-
nary Pur-
poses.

VIII. 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 Two Years from the passing of this Act.

Limiting
Period for
compulsory
Purchase of
Land.

IX. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for making the Railway shall cease.

Limiting
Time for
Completion
of Works.

X. After the Expiration of Five Years from the passing of this Act, it shall not be lawful for the Company to pay any Dividend on any Share in the ordinary or unguaranteed Capital of the Company, unless and until the Railway shall be completed and open for public Traffic.

Certain Divi-
dends not to
be paid till
Railway
opened for
Traffic.

XI. The

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Undertaking
of the
Company.

XI. The Railway and the Enlargement of the said Station shall form Part of the Undertaking of the Company.

As to level
Crossings.

XII. Subject to the Provisions in this Act, and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company, in the Construction of the Railway, to carry the same across and upon the Level of the several public Carriage Roads numbered on the Plans deposited as aforesaid as follows; (that is to say,)

The Road numbered 19 in the Townland of *Corporation* in the Parish of *Armagh*:

The Road numbered 5a in the Townland of *Drumbanagher* in the Parish of *Donagh*:

The Road numbered 8a in the Townland of *Srananny* in the Parish of *Donagh*:

The Road numbered 10a in the Townland of *Faulkland*, and 16 in the Townland of *Drumgarn* in the Parish of *Donagh*.

Stations or
Lodge to be
erected at
Points of
crossing.

XIII. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the Points where the Railway crosses the before-mentioned Roads on the 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 the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Company fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also 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 in
lieu of level
Crossings.

XIV. 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 or either of the said Roads either over or under the Railway 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 to be best adapted for removing or diminishing the Danger arising from such level Crossing; but where any such Road shall be so carried either under or over the Railway it shall be not necessary for the Company to erect or maintain any Station or Lodge at the Point where such Road may be crossed, or to

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to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do,

XV. And whereas the Line of Railway crosses the *Ulster Canal* twice, and the said Canal, and the Land, Property, and Works appertaining thereto, are now vested in *William Williamson Willink*, the Secretary of the Public Works Loan Commissioners (being the Commissioners for carrying into execution an Act of Parliament made and passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in manner therein mentioned*, and the Acts subsequently passed for amending, extending, or continuing the same, as Mortgagee for securing the Repayment of certain Sums owing under or by virtue of the Securities made to the said Public Works Loan Commissioners or their Secretary, by the *Ulster Canal Company*, incorporated by an Act passed in the Session of Parliament holden in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, Chapter CXCIH, and the said *William Williamson Willink* or his Lessee is now in possession of the said Canal, and the Land, Property, and Works appertaining thereto: Therefore the Company, before commencing any of the Works next herein-after referred to, shall make and furnish to the said *William Williamson Willink*, or other the Secretary for the Time being of the said Commissioners, for Approval by or on behalf of the said Commissioners, and shall obtain their Approval in Writing, to proper detailed Plans and Specifications of the Bridges by which it is intended that the Railway shall be carried over the said Canal, and also of the Embankments forming the Approaches to the said Bridges respectively, and of the other Works connected therewith, and shall cause such Plans and Specifications to be prepared with a view to causing by the said Bridges, Embankments, and Works as little Obstruction as may be to the said Canal and the Navigation thereof.

Plans, &c. of
Bridges over
Ulster Canal
to be ap-
proved by
Public Works
Loan Com-
missioners.

57 G. 3 c. 34.

XVI. The Company shall and are hereby required to construct the said Bridges, Embankments, and other Works conformably in all respects to the Plans and Specifications so made and furnished to and approved of by or on behalf of the said Commissioners; and on the Completion of the said Bridges, Embankments, and other Works the Company shall and are hereby required, at their own Expense, for ever thereafter to maintain and keep the same in good and sufficient Repair, and shall, as well during the Progress of the Works of the

Bridges, &c.
to be made
according to
the Plans,
&c. approved
by such
Commis-
sioners.

[*Local.*]

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Railway

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Railway as afterwards, interfere as little as possible with the Navigation of the said Canal.

Land of
Canal Com-
pany not
to be entered
upon without
Approval of
Commis-
sioners of
Bridges, &c.

XVII. It shall not be lawful for the Company, except with the Consent in Writing of the said Commissioners, to enter upon any Land belonging to the said *Ulster* Canal Company, or forming Part of or appertaining to the said Canal and Works, unless and until the said Commissioners shall have signified such Approval as aforesaid to Plans and Specifications for the said Bridges, Embankments, and other Works in relation to the said Canal; but such Approval as aforesaid by or on behalf of the said Commissioners shall constitute a binding Contract by the Company to complete the said Bridges, Embankments, and Works according to the Plans and Specifications so approved of by the said Commissioners.

No more
Land than
actually re-
quired to be
taken, with-
out Consent
of the said
Commis-
sioners.

XVIII. It shall not be lawful for the Company, without the Consent in Writing of the said Commissioners, to take any greater Portion of the Lands forming Part of or appertaining to the said Canal and Works, and now vested in the said *William Williamson Willink*, as such Secretary as aforesaid, than such as may be actually required for the Purpose of the Works of the said Railway, as shown on the Plans of the said Railway deposited as aforesaid.

Roads
leading to
Canal and
Works to be
left in good
Order.

XIX. The Company, on the Completion of the Railway, shall (unless the said Commissioners, or their Secretary for the Time being, shall by Writing sanction any other Arrangement,) cause all the Roads leading to the said Canal and Works or any Part thereof, or to any Wharf belonging thereto or connected therewith, to be left in as good and perfect a Condition as to Width and Inclination as the same now are, and shall in other respects, as well during the Progress of the Works of the Railway as afterwards, interfere as little as possible with such Roads.

Company to
make good
Damage to
Canal.

Penalty for
obstructing
Navigation.

XX. The Company shall make good all Damage to the said Canal during the Progress of the said Works, whether such Damage shall arise from Neglect or Accident, or from any other Cause whatsoever connected with the Execution of the Works, and shall at all Times hereafter pay to the said Commissioners, or their Secretary for the Time being, the Sum of Five Pounds for every Thirty Minutes during which Boats, Barges, or other Craft shall be detained from passing by reason of any Works erecting by the Company, or of the said Bridges or Works, or any of them, being erected or repaired, or by reason of any other Delay to be caused by the Company in the Passage of Boats, Barges, or other Craft, to be recovered by the said Commissioners, or their Secretary for the Time being, in like Manner as is provided by the "Railways Clauses Consolidation Act, 1845," for the Recovery of Costs, Damages, and Expenses.

XXI. The

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XXI. The Company shall not be empowered to take or divert any of the Water from the said *Ulster* Canal, nor from any Brook, Stream, or Watercourse running into such Canal; nor shall the Company make any Excavation in or otherwise weaken the Bank of the said Canal in the Construction of the said Bridges and Works, nor obstruct the free Navigation of the said Canal, or the free Passage along the Towing Paths, either in the Construction, Use, or Repair of the said Railway, Bridges, or other Works.

Company not
to take
Water from
Canal, &c.

XXII. It shall be lawful for the Company to demand and receive Tolls. Tolls and Charges in respect of each and every Description of Traffic passing over the Railway or any Portion of the same, not exceeding the Tolls and maximum Charges which they are authorized to demand and take by "The *Ulster* Railway Extension Act, 1845."

XXIII. For the Carriage of small Parcels, that is to say, Parcels not exceeding Five hundred Pounds Weight each, on the Railway or any Part thereof, the Company may demand the Tolls following; (that is to say,)

As to Tolls
for small
Parcels.

For any Parcel not exceeding Seven Pounds in Weight, Fourpence;

For any Parcel exceeding Seven Pounds in Weight but not exceeding Fourteen Pounds in Weight, Sixpence;

For any Parcel exceeding Fourteen Pounds in Weight but not exceeding Twenty-eight Pounds in Weight, One Shilling;

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

And for any Parcel exceeding Fifty-six Pounds in Weight but not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they may think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Parcels in separate Packages.

XXIV. Every Passenger travelling on the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight for First-class Passengers, Eighty Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Passengers
Luggage.

XXV. It shall be lawful for the Company, at any Time and from Time to Time, with the Consent of a General Meeting of Shareholders, to raise such Sums of Money as they shall from Time to Time deem expedient, not exceeding in the whole the Sum of One hundred and fifty

Powers to
raise Capital.

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fifty thousand Pounds; provided, that all and every Part of the Money so to be raised shall be applied to the Purposes of this Act, and to no other Purpose.

Power to
create new
ordinary
Shares for
that Purpose.

XXVI. For the Purpose of raising such Sums of Money the Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at any General Meeting of the Company specially convened for the Purpose, may create and issue new Ordinary Shares in their Undertaking of the Amount of Twenty-five Pounds each, and such Shares shall be appropriated and disposed of in such Manner, and to such Persons, and on such Terms and Conditions (except as herein-after mentioned) as shall be determined by such Meeting; and the Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," "with respect to the Distribution of the Capital of the Company into Shares," and "with respect to the Transfer and Transmission of Shares," and "with respect to the Payment of Subscriptions," and "the Means of enforcing the Payment of Calls," and "with respect to the Forfeiture of Shares for Nonpayment of Calls," and "with respect to the Consolidation of Shares into Stock," shall be applicable to the raising of such Sums by the Company, and to the Shares by this Act authorized to be created, and to the Holders of such Shares,

Rights, &c.
to be con-
ferred by
new Shares.

XXVII. Two of the new Shares by this Act authorized to be created shall, with reference to the Rights, Privileges, or Qualifications to be conferred on the Holder thereof, be considered as equivalent to One Fifty Pound Share in the original Capital of the Company.

Holders of
new Shares
to be entitled
to partici-
pate in the
general
Dividends of
the Com-
pany, in a
certain Case.

XXVIII. The Holders of the new Shares by this Act authorized to be created shall be entitled to participate in the general Dividends from Time to Time declared by the Company on their ordinary Capital, upon (but not before) the Expiration of Six Months after the Period at which the Railway shall be opened for public Traffic throughout from *Armagh* to *Monaghan*,

No Prefer-
ence Shares
to be
created.

XXIX. Provided always, That it shall not be lawful for the Company to assign or attach to any Share which may be created under the Authority of this Act any fixed Dividend, or any Privilege of Priority in Payment of Dividend in preference to any other Share in the Capital of the Company.

Calls.

XXX. Provided also, That Five Pounds *per* Share shall be the greatest Amount of One Call which the Directors may make in respect of any Share created under the Authority of this Act, and Two Months at the least shall be the Interval between successive Calls in respect of any such Share, and the aggregate Amount of
Calls

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Calls to be made in any One Year on any such Share shall not exceed Fifteen Pounds.

XXXI. Provided also, That it shall not be lawful for the Holders of any Share created under the Authority of this Act to transfer the same until One Fifth of the Amount of such Share shall have been paid up.

New Shares not transferable until One Fifth shall have been paid up.

XXXII. When and so soon as the whole of the Capital which the Company is authorized to raise by the Creation of Shares under this Act shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Company, from Time to Time, with the Authority of any General or Extraordinary General Meeting of the Company, to borrow on Mortgage of their Undertaking, in addition to any other Sums which they are or may be authorized to borrow, any Sum or Sums of Money not exceeding in the aggregate Fifty thousand Pounds; and the Provisions of "The Companies Clauses Consolidation Act, 1845," with "respect to the borrowing of Money on Mortgage or Bond," and "with respect to the Conversion of the borrowed Money into Capital," shall be incorporated with this Act, and shall be applicable to the borrowing of such Sums by the Company, and to the Conversion thereof, if they think fit, into Capital: Provided always, that the total Amount which the Company may at any One Time owe on Mortgage or Bond shall not exceed One Third of the Capital of the Company in Shares for the Time being: Provided also, that all and every Part of the Money to be raised by Mortgage under the Authority of this Act shall be applied to the Purposes of this Act, and to no other Purpose.

Power to borrow by Creation of new Shares.

XXXIII. Provided also, That all Mortgages granted by the Company before the passing of this Act, and which may be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgages to be created by virtue of this Act.

Former Mortgages to have Priority.

XXXIV. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as may be in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845."

Interest on Calls not to be paid out of Capital.

XXXV. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised, pay
[Local.] 8 O or

Deposits for future Bills not to be

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paid out of
Capital.

or deposit any Sum of Money which by any Standing Order of either House of Parliament for the Time being in force may require 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.

Power to
reduce
Number of
Directors.

XXXVI. It shall be lawful for the Company, at any Time and from Time to Time, with the Authority of a Majority of the Votes of the Proprietors present at any Ordinary or Extraordinary General Meeting of the Company, to resolve that the Number of the Directors of the Company shall be reduced to any Number which the Company may think fit, not being less than Twelve; and thereupon, in order that such Reduction may be gradually effected, the Company shall at each General Meeting thereafter re-elect only so many Directors in the Stead of those retiring by Rotation as to provide for the gradual Reduction of the Number of Directors in accordance with any such Resolution within Three Years from the Date thereof, and for providing after the Expiration of that Period such a Number of Directors as may be in accordance with such Resolution.

Quorum of
Meetings.

XXXVII. After any Reduction in the Number of Directors shall have taken place, the Quorum of a Meeting of Directors shall be such as shall from Time to Time be determined by the Directors, provided that such Quorum shall never be less than One Third of the Number of Directors for the Time being.

None of the
Directors
need be
resident at
Belfast,
Armagh;
Lurgan, or
Lisburn.

XXXVIII. From and after the passing of this Act, it shall not be requisite or necessary that any of the Directors of the Company should be Proprietors residing in or within Six Miles of *Belfast*, or in or within Three Miles of the City of *Armagh*, or in or within Three Miles of *Lurgan*, or in or within Three Miles of *Lisburn*, anything in the first-recited Act to the contrary thereof notwithstanding.

Periods for
General
Meetings
and balanc-
ing Books.

XXXIX. From and after the passing of this Act, the Ordinary General Half-yearly Meetings of the Company shall be held in the Months of *February* and *August* in every Year, and the Books of Account of the Company shall be brought to a Balance on the Thirty first Day of *December* and the Thirtieth Day of *June* in every Year, anything in the recited Acts or either of them to the contrary notwithstanding.

Railway
not exempt
from Pro-
visions of

XL. Nothing in this Act contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to

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to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the Rates for small Parcels and maximum Rates of Fares and Charges authorized by this Act.

present
and future
General
Acts.

XLI. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Ulster Railway Act, 1855.*"

Short Title.

XLII. All the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the Company.

Expenses of
Act.

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