



CHAPTER clxxi.

An Act for authorising the Belfast Central Railway Company to make new Railways, for regulating their Capital, and for conferring further powers on the Company ; and other purposes. A.D. 1872.
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[6th August 1872.]

WHEREAS by “The Belfast Central Railway Act, 1864,” (herein-
after called “the Act of 1864,”) the Belfast Central Railway
Company (herein-after called “the Company”) were incorporated,
and were authorised to make and maintain railways for connecting
the several railways in the town of Belfast, and also a tramway and
a central station in Belfast, and to raise by shares the sum of three
hundred thousand pounds, and by mortgage the sum of one hundred
thousand pounds, and it was provided that the powers of the Com-
pany for the compulsory purchase of land for the purposes of that
Act should not be exercised after the expiration of three years from
the passing thereof, and that the railways and works thereby
authorised should be completed within five years after the passing
thereof, and that on the expiration of such period the powers by
that Act granted for making the railways and works should cease
to be exercised except as to so much thereof as should then be
completed : 27 & 28 Vict.
c. ccliv.

And whereas by “The Belfast Central Railway Act, 1865,”
(herein-after called “the Act of 1865,”) the Company were autho-
rised to make and maintain another railway and tramway, and to
abandon the construction of a portion of Railway No. 1 authorised
by the Act of 1864, and by the same Act it was also provided that
the powers of the Company for the compulsory purchase of land for
the purposes of that Act should not be exercised after the expira-
tion of three years from the passing thereof, and that the railway
and tramway thereby authorised should be completed within four
years from the passing of the Act of 1864, and that upon the expira-
tion of that period the powers by that Act granted for the comple-
tion of such railway and tramway should cease to be exercised
except as to so much thereof as should then be completed : 28 & 29 Vict.
c. ccxx.

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31 & 32 Vict.
c. clxvi.

And whereas by "The Belfast Central Railway Act, 1868," (hereinafter called the Act of 1868,) the Company were authorised to make other railways and tramways and a central station in substitution for portions of the undertaking of the Company, and to abandon those portions and to make certain new roads and streets, and the Company were empowered to raise by shares the further sum of one hundred and fifty thousand pounds, and by mortgage the further sum of fifty thousand pounds, and it was provided that the powers of the 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 thereof, and that the railways and tramways, streets, and works thereby authorised should be completed within five years from the passing of that Act, and if the same should not be completed within that period, then on the expiration thereof the powers by that Act granted for making and completing the same should cease to be exercised except as to so much thereof as should then be completed; and the periods for the exercise of the powers conferred upon the Company by the Acts of 1864 and 1865 for the compulsory purchase of land (except as to abandoned works, and works with respect to which such powers had been exercised) and for construction of works were respectively extended; and by the Act of 1868 an agreement (hereinafter called "the corporation agreement of 1867") which is set forth in a schedule to that Act, and which included an agreement for sale of the Pork Market in Belfast by the Corporation of Belfast to the Company, was sanctioned and confirmed:

And whereas the whole of the share capital authorised by the Act of 1864 has been issued, and the full amount of all the said shares has been paid except the shares numbered 10,964 to 25,000, both inclusive, and upon the latter shares the sum of forty-three thousand eight hundred and forty-five pounds only has been paid, and the sum of ninety-six thousand five hundred and twenty-five pounds remains unpaid thereon, and those shares have become forfeited under "The Bankruptcy Act, 1869," and the Company have borrowed on mortgage from the Public Works Loan Commissioners the whole of the sum of one hundred thousand pounds authorised by the Act of 1864 to be raised on mortgage; but no part of the share capital authorised by the Act of 1868 has been issued, nor have the Company raised any part of the loan capital thereby authorised:

And whereas the Company have constructed a considerable portion of their authorised undertaking, but have been and are unable from want of funds to complete any part thereof for public traffic, and they have been obliged, for the purpose of executing

their works to the extent to which they have advanced, to issue Lloyd's bonds, which are held by creditors of the Company, to the extent of one hundred and sixty-four thousand five hundred and forty-four pounds : A.D. 1872.

And whereas in the present position of the Company it is impossible for them to raise further capital, and they have become embarrassed in their affairs, and have made default in payment of an instalment of principal of the loan of one hundred thousand pounds from the Public Works Loan Commissioners, and there is an arrear of interest due thereon, and the Company have also made default in payment of numerous sums secured by the Lloyd's bonds issued by the Company, and they have been unable to pay any interest secured on their Lloyd's bonds ; and the Company are also indebted to landowners in various large sums in respect of land taken by the Company for the purposes of their railways and works, and in respect of costs and expenses in connexion therewith ; and they are also indebted to various creditors on contracts for work done and for materials supplied to the Company or otherwise ; and the Public Works Loan Commissioners are enabled and have threatened to sell the undertaking and realise their security ; and the Company are also in danger of other legal proceedings :

And whereas the completion of the Company's railways and work would be of great local and public advantage, and of great benefit and advantage to the creditors and shareholders of the Company :

And whereas it is expedient that the Company be empowered to make and maintain the new railway and tramway herein-after described in substitution for certain portions of the Company's undertaking, and that such portions should be abandoned, and that the power by the Act of 1868 granted for the compulsory purchase of lands, and the period for the completion of portions of the railways and works by that Act authorised, and not by this Act authorised to be abandoned, be respectively revived and extended :

And whereas it is expedient that the Company be authorised for the purposes of their undertaking to widen the road or street herein-after mentioned, and to acquire for the purposes of the works by this Act authorised, and for other purposes connected with their undertaking, the lands and buildings herein-after also mentioned or referred to :

And whereas it is expedient that the corporation and the Company be empowered to vary the corporation agreement of 1867, as by this Act is provided :

And whereas to enable the Company to open the portion of their line already constructed as aforesaid, and to complete their

A.D. 1872. — system of railways and tramways, and ultimately to meet their engagements, it is essential that the provisions herein-after contained should be made, and that during the period herein-after defined all suits, actions, executions, attachments, and other proceedings against the Company and their property, and with respect to existing debts, should be stayed, subject to the provisions herein-after contained, unless with such leave of the court as herein-after enacted :

And whereas it is expedient that the Company should be authorised, for the purposes herein-after defined, to raise a further sum of money by the creation of debenture stocks, and to consolidate into debenture stock the sums secured by Lloyd's bonds, and the sums due to general creditors of the Company, and to reduce the amount of the Company's authorised share capital by the whole of the share capital authorised by the Act of 1868 and by the sum of one hundred and fifty thousand pounds, being one half of the share capital authorised by the Act of 1864, and which is represented by the said forfeited shares numbered 10,964 to 25,000, both inclusive, and by nine hundred and sixty-three fully paid-up shares numbered 10,001 to 10,963, both inclusive, which Joseph Thornton, the holder thereof, has agreed to surrender to the Company for the purpose of being cancelled :

And whereas the holders of the said Lloyd's bonds to the extent of upwards of three fourths in number and value have assented to this Act :

And whereas it is expedient that the Company should be authorised to enter into agreements with respect to the running over, working, and use of the tramways of the Belfast Harbour Commissioners :

And whereas very great increase of expense has been occasioned to the Company in the execution of their constructed works (which include a bridge over the River Lagan) by unforeseen difficulties in securing their foundations, and the tolls, rates, and charges authorised by the Act of 1864 will not produce a revenue for the capital required to be expended in completing the works of the Company (which include another bridge over the River Lagan), and the completion of such works is of essential importance to the town of Belfast as a means of relieving the streets from heavy cartage traffic of coals and goods, and from cattle traffic, and it is expedient that such tolls, rates, and charges should be revised and altered, as herein-after provided, and the Corporation of Belfast, the Belfast Harbour Commissioners, the Ulster Railway Company, and the Belfast and County Down Railway Company have concurred in such revision and alteration :

And whereas plans and sections showing the respective lines and levels of the railway, tramway, and other works above referred to and by this Act authorised to be made, and plans of the lands above referred to and by this Act authorised to be acquired and appropriated, and a book of reference to those plans, have been deposited with the clerks of the peace for the counties of Antrim and Down, which plans, sections, and book of reference are in this Act referred to as the deposited plans, the deposited sections, and the deposited book of reference :

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And whereas the objects 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 consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited for all purposes as " The Belfast Central Railway Act, 1872." Short title.

2. " The Lands Clauses Consolidation Act, 1845," (so far as the same is consistent with " The Railways Act (Ireland), 1851," as amended by " The Railways Act (Ireland), 1860,") " The Lands Clauses Consolidation Acts Amendment Act, 1860," " The Railways Clauses Consolidation Act, 1845," (except as otherwise in this Act provided,) " The Railways Act (Ireland), 1851," " The Railways Act (Ireland), 1860," " The Railways Act (Ireland), 1864," " The Railways Traverse Act," Part I. (relating to construction of a railway), Part II. (relating to extension of time), and Part III. (relating to working agreements) of " The Railways Clauses Act, 1863," and Part II. (relating to additional capital) and Part III. (relating to debenture stock) of " The Companies Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act. Provisions of general Acts herein named incorporated.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction ; the expression " the railway " and " the undertaking " mean respectively the railway and undertaking of the Company as authorised by this and the recited Acts respectively ; the expressions " the Ulster Company," " the Northern Counties Company," " the Bangor Company," " the County Down Company," " the corporation," and " the harbour commissioners," mean respectively the Ulster Railway Company, the Belfast and Northern Counties Railway Interpretation of terms.

A.D. 1872. — Company, the Belfast, Holywood, and Bangor Railway Company, the Belfast and County Down Railway Company, the mayor, aldermen, and burgesses of the borough of Belfast, and the Belfast Harbour Commissioners; “the court” means the High Court of Chancery in England, or the High Court of Chancery in Ireland, as the case may be; “directors” means the directors of the Company; “board” means the board of directors; “shareholder” includes all persons holding shares or stock of or in the Company; “general creditors” means any creditor of the Company other than a mortgagee; “general debts” means sums lawfully due to any general creditor.

As to deposit of plans with clerks of unions.

4. With reference to this Act, all the provisions of “The Railways Clauses Consolidation Act, 1845,” relating to the deposit of certificates of omission, mis-statement, or erroneous description, shall be read and construed as if the expression “clerks of the unions within which such parishes are included in Ireland,” or the words “clerks of the unions,” had been used and inserted in that 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 “postmasters,” as the case may be.

Power to make railways according to deposited plans.

5. Subject to the provisions of this Act, the Company may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the railway, tramway, and works herein-after described, with all proper stations, approaches, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for that purpose. The railway, tramway, and works herein-before referred to and authorised by this Act are,—

First. A railway (No. 1), two furlongs two chains in length, commencing by a junction with the Bangor Company’s Railway, formerly known as the Holywood Branch Railway of the County Down Railway, at or near the junction therewith of the Company’s Railway No. 1 authorised by the Act of 1865, and terminating at a point distant five hundred yards or thereabouts measured eastwards from the said described point of commencement:

Second. A railway or tramway (No. 2), two furlongs 8·40 chains in length, commencing by a junction with the Railway No. 2 authorised by the Act of 1868 near the east end of Lagan Street, and terminating by a junction with the railway or tramway of the harbour commissioners at the north end of the stone-yard near the canal quay:

And those railways shall, with respect to tolls and charges, and for all purposes whatever, be deemed to be part of the Company's undertaking: Provided always, that in constructing the Railway or Tramway No. 2 it shall not be lawful for the Company to deviate from the level thereof as shown on the deposited plans and sections without the consent in writing of the harbour commissioners and the corporation: Provided also, that where the Railway No 2 by this Act authorised crosses the Railway No. 3 authorised by the Act of 1868, the Company, and every person and body corporate using the said Railway No. 2, and notwithstanding anything in any of the former Acts to the contrary, shall, for propelling carriages thereon, use locomotive engines only, and shall not propel the same at any greater rate of speed than six miles an hour.

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6. The Company shall, within six months after the passing of this Act, complete and put into a thorough state of repair, to the satisfaction of the engineer of the corporation, the East Bridge Street Viaduct and so much of the Lagan Bank Road as has been affected by the works of the Company, and the Company shall apply to that purpose an adequate portion of the moneys to be raised by the issue of A debenture stock in pursuance of the powers herein-after contained.

Providing for repair of East Bridge Street Viaduct and Lagan Bank Road.

7. Subject to the provisions of this Act, the Company (or the corporation at the expense of the Company) may, in the lines and according to the levels and within the limits shown on the deposited plans and sections, widen and improve East Bridge Street, in the townland of Townparks, in the parish of Shankhill, otherwise Belfast, in the county of Antrim, from the corner of Turnley Street to the junction of Oxford Street with East Bridge Street, with all proper approaches, works, and communications connected with such widening, and may enter upon, take, and use the lands delineated on the deposited plans and described in the deposited book of reference relating thereto required for those purposes.

Power to widen East Bridge Street.

8. The Company (or the corporation, as the case may be) may, in making such widening deviate to the extent of the limits of deviation marked on the deposited plans.

Power to deviate in widening East Bridge Street.

9. East Bridge Street, when and as so widened, shall from time to time be repaired and maintained by and at the expense of the same bodies or parties, in the same manner and to the same extent, as the other streets and roads within the townland of Townparks aforesaid are from time to time liable to be repaired or maintained: Provided always, that if any question shall arise between the Company or the corporation and any of such parties as to the due completion of such widening, such question shall be determined by

Provision for repair, &c. of land thrown into the street.

A.D. 1872. — two justices on the application of either of the parties in difference, and after not less than seven days notice to both parties of the sitting of such justices for the purpose, and the certificate of such justices of the due completion of such widening shall be conclusive evidence of the fact so certified.

Company
may acquire
additional
lands for
general
purposes.

10. Subject to the provisions of this Act, the Company, in addition to the other lands which they are by this Act authorised to acquire, may from time to time enter upon, take, use, and appropriate to the purposes of their undertaking all or any of the lands following, delineated upon the deposited plans and described in the deposited book of reference; (that is to say,)

Certain lands, houses, and buildings in the township of Malone Lower, in the parish of Shankhill, otherwise Belfast, in the county of Antrim, lying on the north side of and contiguous to that part of the Company's railway which lies between the Botanic Road and the Botanic Avenue :

Certain lands, houses, and buildings in the said township of Malone Lower, lying respectively on the northerly and southerly sides of and contiguous to that part of the Company's railway which lies immediately to the westward of the Ormeau Road :

Certain lands, houses, and buildings in the townland of Ballymacarrett, in the parish of Knockbreda in the county of Down, lying on the northerly and southerly sides of and contiguous to the Company's railway, as well as to the eastward and westward of that part of Bridgend Street which is crossed by that railway :

Certain lands, houses, and buildings in Ballymacarrett Intake, in the last-named townland, of which a portion is part of the main line of the Bangor Company's railway, and the remainder lies on the north side of and contiguous to that railway, and the whole of which are near to the site of the existing junction of the Company's railway with the said railway heretofore known as the Holywood Branch of the Belfast and County Down Railway :

Certain lands, houses, and buildings in the aforesaid townland of Townparks, lying on the west end of East Bridge Street, and adjoining to the west side of Turnley Street.

Lands of
County
Down Com-
pany not to
be taken
compulsorily.
Stay of pro-
ceedings.

11. Nothing in this Act or in the deposited plans contained shall authorise the Company to enter upon, take, or interfere with any lands of the County Down Company except with the consent of that company under their common seal.

12. Save as is in this Act otherwise provided, from and after the passing of this Act no action, suit, execution, attachment, or

other proceeding against the Company, or affecting the property thereof, shall be continued or commenced during the period hereinafter defined and referred to as "the suspense period," except proceedings against the Company as carriers of goods or passengers, or in respect of liabilities contracted after the passing of this Act, and except proceedings by James Hutt, late secretary and servant of the Company, under or in execution of a judgment of the Court of Exchequer of Pleas obtained by him against the Company for his salary and wages as such secretary and servant, and which judgment is not to be in any way prejudiced by this Act: Provided always, that the court may on motion or application and upon proof of special circumstances, which in the opinion of the court shall render it fit that any such action, suit, execution, attachment, or other proceeding shall be continued or commenced during the suspense period, give leave to that effect, but subject to such terms, if any, as the court shall think fit to impose: Provided also, that the costs of any actions, suits, executions, attachments, or other proceedings against the Company, or affecting the property thereof, which shall be discontinued pursuant to this clause, shall be in the discretion of the court, and may be dealt with on a motion or application made to the court, and if allowed may, if the court shall think fit, be added to the debt: Provided also, that during the suspense period the operation of the statutes for the limitation of actions shall be suspended, and that every cause of action or suit, and every right to issue execution, attachment, or to take any other proceeding stayed by virtue of this Act during such period, shall at the expiration of such period be in the same plight in every respect as if such period had not intervened.

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13. The suspense period shall be a period of five years from the passing of this Act.

Suspense period.

14. Nothing herein-before contained shall relieve the Company from any duty, liability, or restriction with respect to sewers and drains in the borough of Belfast, or from the provisions contained in the 46th section of the Act of 1864, or any agreement founded on the said section, or shall prejudice, delay, or diminish the rights and remedies of the corporation against the Company with relation to the said matters, or with respect to the repair or maintenance of any streets in the said borough.

Stay of proceedings not to affect certain liabilities of Company.

15. All powers of the Company to create and issue shares, and to raise money by mortgage or otherwise, under the Act of 1868 are absolutely cancelled, extinguished, and determined.

Unexercised powers of raising money extinguished.

16. The said shares numbered from 10,001 to 25,000 (both numbers inclusive) in and which represent one hundred and fifty

Cancelling part of Company's share capital.

A.D. 1872. — thousand pounds of the share capital by the Act of 1864 authorised to be raised are hereby cancelled.

Power to
issue debenture
stocks.

17. The Company may create and issue debenture stocks of three classes, to be called the A, B, and C debenture stocks respectively, to be charged upon the undertaking prior to all shares of the Company, and to be subject to the conditions herein-after specified.

Conditions
of A debenture
stock.

18. The A debenture stock shall not exceed in amount one hundred and seventy-five thousand pounds, and shall bear interest at a rate not exceeding five pounds per centum per annum, and shall have priority over all other stocks created by virtue of this Act, but shall be redeemable at such premium, and at such times, and in such manner in all respects as the directors may determine at the date of issue.

Application
of A debenture
stock.

19. The moneys to be raised by the issue of the A debenture stock may be applied to the following and not to any other purposes; (that is to say,) to the discharge of the existing mortgages to the Public Works Loan Commissioners, and any other existing mortgages, or to the replacing and recouping other moneys applied from time to time to the discharge of those mortgages; and to the payment of the costs, charges, and expenses of and incidental to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto; and for the payment of all the interest now in arrear, and the interest hereafter to accrue due for two years from the passing of this Act upon the said mortgages, and the interest to accrue due upon the residue of the said one hundred and seventy-five thousand pounds for two years from the date or dates of issue thereof; and to the payment of the cost of completing and putting into a thorough state of repair the East Bridge Street Viaduct and the Lagan Bank Road, as herein-before provided, and executing any works which the Company are liable to make and maintain for the accommodation of the County Down Company, or which the Company, by the agreement of the twenty-second day of April one thousand eight hundred and sixty-four, referred to in the corporation agreement of 1867, contracted to perform, and of constructing the works executed since the first day of August one thousand eight hundred and sixty-nine, and the works necessary for completing and opening for traffic the Company's railway from the Ulster Railway to the County Down and the Bangor Railways and their West Quays Tramway, and of acquiring additional land for stations thereon.

Conditions
of B debenture
stock.

20. The B debenture stock shall not exceed in amount two hundred thousand pounds, and shall bear interest at a rate not

exceeding five pounds per centum per annum, and shall rank next in priority after the A debenture stock, but shall be redeemable at such premium, and at such times, and in such manner in all respects as the directors may determine at the date of issue. A.D. 1872.

21. The moneys to be raised by the issue of the B debenture stock may be applied, in such order and proportion as the board in their discretion shall think fit, to the following and not to any other purposes; videlicet, Application of B debenture stock.

1. In the payment to the corporation of the purchase money of forty-three thousand pounds, in the corporation agreement of 1867 mentioned, and interest thereon, in such manner as has been, or under the provisions of this Act in that behalf may be, agreed upon between the corporation and the Company:
2. In the construction of the Railways No. 1 and No. 3, and the central station and roads and streets by the Act of 1868 respectively authorised, and the railways by this Act authorised, and any other works of the Company, and in discharging any outstanding debts for works, except such as are secured by Lloyd's bonds, which the board think fit:
3. In the payment of purchase and compensation money for any other lands acquired or to be acquired for the purposes of the undertaking of the Company, and the interest of such moneys and the costs attending the acquiring of such lands:
4. In the payment of the interest on the B debenture stock for the time being issued for a period of two years from the date or dates of issue thereof:
5. Any of the purposes to which the A debenture stock may be applied and which that stock may be insufficient to satisfy.

22. The C debenture stock shall not exceed two hundred thousand pounds, and shall bear interest at a rate not exceeding four pounds per centum per annum, and shall rank in priority next after the B debenture stock, and shall be irredeemable. Conditions of C debenture stock.

23. The C debenture stock shall be applied *pari passu* in satisfaction of the Lloyd's bonds issued by the Company and of the general debts and liabilities of the Company. Appropriation of C debenture stock.

24. The Company shall call in the existing Lloyd's bonds of the Company and ascertain the general debts of the Company, and shall from time to time issue to the holders of such Lloyd's bonds and the general creditors of the Company certificates of debenture stock under this Act: Provided, that the Company shall not be bound to issue any such certificate unless and until the holders of the Lloyd's bonds deliver to the board to be cancelled, or prove to Certificates of different classes of debenture stocks to be issued in exchange for other securities and to general creditors.

A.D. 1872. their satisfaction the loss of, the Lloyd's bonds in respect to which the new certificate is to be issued.

Notice by
advertise-
ments for
creditors.

25. The said Lloyd's bonds of the Company may be called in and the general debts of the Company ascertained by advertisements published once in each of two successive weeks in the London Gazette, and in a London daily newspaper, and in some newspaper published in the county of Antrim.

Powers to
trustees and
others.

26. It shall be lawful for all trustees, executors, and administrators, assignees in bankruptcy, trustees, and inspectors under deeds of arrangement or composition, liquidators of companies, and corporations holding or being entitled to or interested in any Lloyd's bond or general debt upon any trust or otherwise, and for the guardians and committees respectively of any infants and lunatics respectively who may hold or be entitled to or interested in any Lloyd's bond or general debt, to accept and signify their willingness to accept any offer of debenture stock made to them under the provisions of this Act, and to exercise all or any of the powers of consenting and other powers and discretions by this Act given to Lloyd's bondholders and general creditors respectively.

New stock
to be subject
to same
powers ex-
isting as to
Lloyd's
bonds.

27. All stock appropriated and vested by virtue of this Act shall be subject and liable to the same trusts, powers, provisions, declarations, agreements, charges, liens, and incumbrances as immediately before the passing of this Act affected the then existing Lloyd's bonds for which it is substituted, and so as to give effect to and not revoke any testamentary disposition of or affecting such then existing Lloyd's bonds.

On issue of
new stocks,
old securi-
ties, &c. to
be cancelled.

28. All debentures, Lloyd's bonds, general debts, and interest, in substitution for which any debenture stock shall be issued under the powers of this Act, shall, upon such issue being made, be absolutely cancelled and extinguished.

Application
of income.

29. Subject to the saving of the rights of the Public Works Loan Commissioners and their secretary herein-after contained, the income received by the Company in respect of each year, beginning from the passing of this Act, shall be applied in the manner and with the priorities following; (that is to say,)

1. In payment of all working and incidental expenses, including due and proper maintenance of the permanent way, rolling stock, and station and other buildings:
2. In payment of all rates, taxes, and tithes, and of all annual rentcharges payable by the Company in pursuance of the tenth section of "The Lands Clauses Consolidation Act, 1845," or of "The Lands Clauses Consolidation Acts Amendment Act, 1860:"

3. In payment of the interest on the mortgages for the time being in force of the Public Works Loan Commissioners, and any other existing mortgages, and on the A debenture stock : A.D. 1872.

4. In payment of the interest on the B debenture stock :

5. In payment of the interest on the C debenture stock :

6. In payment of a dividend on the ordinary shares or stock of the Company.

30. Alexander Clunes Sherriff, William Tipping, Sir Leopold George Heath, K.C.B., Sir Thomas Dakin, and Alexander Young shall be five of the directors of the Company. Appoint
ment of five
directors.

31. On the passing of this Act so many of the present directors shall retire from office as may be necessary for making five vacancies on the board, and the individual directors so to retire shall be determined by ballot among the present directors. Retirement
of certain of
the present
directors.

32. On the passing of this Act the established order of retirement of the directors shall cease, and the five directors hereby appointed and the other directors remaining in office shall be deemed directors appointed by the special Act, within the meaning of the provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the appointment and rotation of directors, and those provisions shall regulate the retirement of such directors from office and the election of directors from time to time, and those provisions and the provisions of that Act with respect to the powers of the directors and the powers of the Company to be exercised only in general meeting shall apply to the board as constituted by this Act. Rotation of
directors.

33. 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. Powers for
compulsory
purchases
limited.

34. The Company shall, not less than eight weeks before they take in any parish fifteen houses or more, occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses, and the Company shall not take any such houses until they have obtained a certificate of a justice that it has been proved to his satisfaction that the Company have made known their intention to take the same in manner herein-before required. Notice to be
given of
taking houses
of labouring
classes.

35. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth and tenth years of Her present Majesty, chapter twenty, six hundred and forty-two pounds Deposit
money not to
be repaid
until line

A.D. 1872.
opened or
half the
capital paid
up and
expended.

eleven shillings, being five per centum upon the amount of the estimate in respect of the railways authorised by this Act, has been deposited with the Court of Chancery in Ireland in respect of the application to Parliament for this Act: Be it enacted, that notwithstanding anything contained in the said recited Act, the said sum so deposited as aforesaid in respect of the application for this Act shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railway hereby authorised to be made, either open the said railway for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the amount of the capital required for the construction of the railway hereby authorised, and have expended for the purposes of this Act a sum equal in amount to such one half of the said capital; and if the said period shall expire before the Company shall either have opened the said railway for the public conveyance of passengers, or have given such proof as aforesaid to the satisfaction of the Board of Trade, the said sum of money deposited as aforesaid shall be applied in the manner herein-after specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding.

Application
of deposit.

36. The said sum deposited as aforesaid shall be applicable, and after due notice in the "Dublin Gazette" shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the said railway or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in Ireland may seem fit; and if no such compensation shall be payable, or if a portion of the said sum of money shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum of money, or such portion thereof as may not be required as aforesaid, shall be paid to or on the

application of the person or persons or the majority of the persons named in such warrant or order as aforesaid, or the survivor or survivors of them: Provided that until the said sum of money shall have been repaid to the depositors, or shall have become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the person or persons or the majority of the persons named in such warrant or order as aforesaid, or the survivors or survivor of them. A.D. 1872.

37. The railways, widening, and works authorised by this Act shall be completed within five years from the passing of this Act, and if the same shall not be completed within that period, then on the expiration thereof the powers by this Act granted to the Company for making and completing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed. Period for completion of works.

38. Sections thirty-two, thirty-four, thirty-five, thirty-seven, thirty-eight, and thirty-nine of the Act of 1864 are hereby repealed, and that Act, and section nineteen of the Act of 1865, and section thirty-two of the Act of 1868, shall respectively be read and have effect as if the five sections next following had been substituted in the Act of 1864 in lieu of the six sections hereby repealed. Repeal of certain sections of Act of 1864 as to tolls.

39. It shall be lawful for the Company to levy and demand rates, tolls, and duties for the user of their several railways and tramways not exceeding the following; (that is to say,) Tolls.

In respect of the tonnage of all articles conveyed upon the railways or tramways, or any part thereof, as follows:

For all coals, coke, culm, cannel, ironstone, iron ore, limestone, chalk, lime, bricks, salt, sand, fireclay, cinders, slag, stone, dung, compost, and all sorts of manure, and for all undressed materials for the repair of public roads or highways, stones for building, pitching, and paving, all tiles, slates, and clay, and for all grain, timber, and deals, pig iron, rod iron, sheet iron, hoop iron, iron plates, slabs, billets, and rolled iron, charcoal and wrought iron, not otherwise specifically classed herein, including railway chairs, and heavy iron castings, and for all sugar, corn, flour, hides, dyewoods, staves, and metals, per ton one shilling; and if conveyed in a carriage belonging to the Company, an additional sum per ton of threepence:

For all earthenware, nails, anvils, vices, and chains, and for light castings, and for all cotton and other wools, drugs, manufactured goods, and all other wares, merchandise, articles,

A.D. 1872.

matters, or things, per ton two shillings; and if conveyed in carriages belonging to the Company, an additional sum of threepence:

And for every carriage of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform not belonging to the Company, two shillings, and a sum of sixpence for every additional quarter of a ton or fractional part of a quarter of a ton which such carriage may weigh.

In respect of passengers and animals conveyed in carriages on the railways or tramways, as follows:

For any person conveyed in or upon any carriage, not exceeding sixpence:

For every horse, mule, or other beast of draught or burden, not exceeding one shilling; and if conveyed in or upon any carriage belonging to the Company, an additional sum not exceeding threepence:

For every ox, cow, bull, or neat cattle, not exceeding sixpence; and if conveyed in or upon any carriage belonging to the Company, an additional sum not exceeding one penny:

For every calf, pig, sheep, lamb, or other small animal, not exceeding threepence; and if conveyed in or upon any carriage belonging to the Company, an additional sum not exceeding one halfpenny.

Regulations
as to the
tolls.

40. The following provisions and regulations shall be applicable to the fixing of the tolls and maximum rates of charge; (that is to say,)

For a fraction of a ton the Company may demand toll according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton:

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight:

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton, and so on in proportion for any smaller quantity.

Tolls for
small parcels
and single
articles of
great weight.

41. And with respect to small packages not exceeding five hundred pounds in weight and single articles of great weight, notwithstanding the rate of tolls prescribed by this Act, the Company may lawfully demand the tolls following; (that is to say,)

For the carriage of small parcels the Company may demand any sum which they think fit, not exceeding the rates following : A.D. 1872.

Not exceeding in weight seven pounds, threepence ; exceeding seven and not exceeding fourteen pounds, fourpence ; exceeding fourteen and not exceeding twenty-eight pounds, sevenpence ; exceeding twenty-eight and not exceeding fifty-six pounds, ninepence ; exceeding fifty-six and not exceeding five hundred pounds, such sum as they think proper : 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 such term shall apply only to single parcels in separate packages :

For the carriage of any one boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article the weight of which, including the carriage, shall exceed four tons but shall not exceed eight tons, the Company may demand any sum not exceeding two shillings per ton, including the carriage for the same :

For the carriage of any single piece of timber, stone, or machinery, or other single article the weight of which, including the carriage, shall exceed eight tons, the Company may demand such sum as they think fit.

42. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railways or tramways, including the tolls for the use of the railways or tramways, and of stations and of carriages, and for locomotive power, and for every other expense incidental to such conveyance, shall not exceed the following sums : Maximum rate of charge for passengers.

For every passenger conveyed in or upon a first-class carriage, the sum of sixpence :

For every passenger conveyed in or upon a second-class carriage, the sum of fourpence :

For every passenger conveyed in or upon a third-class carriage, the sum of threepence.

43. And with respect to the conveyance of horses, cattle, carriages, and goods, the maximum rate of charges to be made upon the railways and tramways by the Company, including the tolls for the user of the railways and waggons or trucks and locomotive power, and every expense incidental to such conveyance (except a reasonable sum for loading, covering, and unloading goods, and for delivery and collection, and any other services incidental to the business or duty of a carrier, where such services or any of them are or is performed by the Company), shall not exceed the following sums : Maximum rate of charges for cattle, &c.

A.D. 1872.

For every horse or other beast of draught or burden before classed with horses, the sum of one shilling and threepence :

For every ox, cow, bull, or neat cattle, the sum of sevenpence :

For every calf, pig, sheep, lamb, or other small animal, the sum of threepence halfpenny :

For every carriage not exceeding a ton weight, the sum of two shillings ; and for every additional ton or fractional part of a ton which such carriage may weigh, sixpence :

For coals, coke, ironstone, and other articles herein-before classed therewith, the sum of one shilling and threepence per ton :

For cotton and other articles herein-before classed therewith, the sum of two shillings and threepence per ton.

Provision
for revival
of former
tolls in a
certain event.

44. Provided always, that if and whenever for any two years (whether consecutive or not consecutive) the interest or dividend paid by the Company upon the C debenture stock shall have reached the full rate of four per centum per annum, and there shall also have been paid upon the shares of the Company a dividend at the rate of two per centum per annum, the Company shall thenceforth cease to levy the tolls and charges authorised by this Act, and the tolls and charges which the Company were authorised to demand before the passing of this Act shall be re-established, and the said repealed sections of the Acts of 1864, 1865, and 1868 shall be again in force.

Company to
abandon
portions of
authorised
lines.

45. The Company shall abandon the construction of the whole of the Railway or Tramway (No. 5) authorised by the Act of 1868.

Compensa-
tion for
damage to
land by
entry, &c.
for purposes
of railway
abandoned.

46. The abandonment by the Company under the authority of this Act of any portion of any railway or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation in accordance with the provisions in that behalf of "The Lands Clauses Consolidation Act, 1845," or "The Railways Act (Ireland), 1851," for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil, or setting out of the line of railway, and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Company to receive compensation in accordance with the provisions in that behalf of "The Railways Act (Ireland), 1864," for such temporary occupation, or for any loss, damage, or injury which may have been sustained by such owner or occupier by reason thereof, or of the exercise as regards such land of any of the powers contained in the last-mentioned Act or the Act of 1868.

47. Where before the passing of this Act any contract shall have been entered into, or an arbitrator appointed under the provisions of "The Railways Act (Ireland), 1851," with respect to the purchasing of any land for the purposes of or in relation to any portions of the railways or works authorised to be abandoned by this Act, and which shall not be required for the purposes of any of the works by this Act authorised, full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed, and the amount and application of the compensation shall be determined in manner provided by "The Railways (Ireland) Act, 1851," for determining the amount and application of compensation paid for lands taken under the provisions thereof.

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Compensation to be made in respect of railway to be abandoned.

48. The Company may abandon and discontinue the Railway or Tramway No. 4, authorised by the Act of 1868, as the same is now constructed; and the site thereof, and all lands acquired or authorised to be acquired for the purposes thereof, shall be appropriated and may be taken respectively for and to the purposes of the Railway No. 2 by this Act authorised, as if the same had been acquired or authorised to be acquired for such last-mentioned purposes.

Removal and relinquishment of part of authorised lines.

49. The powers conferred on the Company by the Act of 1868 for the compulsory purchase and taking of lands and other property for such of the purposes of that Act as are not by this Act authorised to be abandoned shall be and are hereby revived, and the same may be exercised by the Company within three years from the passing of this Act, but shall not be exercised after the expiration of that period, and that period shall for all purposes be deemed to be the period limited by the Act of 1868 for the compulsory purchase and taking of lands and other property for those purposes of the said Act.

Extension of time for purchase of lands under Act of 1868.

50. The powers conferred on the Company for the construction of all such parts of the railways and tramways, streets, and works respectively authorised by the Act of 1868 as are not by this Act authorised to be removed and abandoned respectively may be exercised within three years from the passing of this Act, but shall not be exercised after that period, and that period shall for all purposes be deemed to be the period limited by the Act of 1868 for the completion of the same.

Extension of time for completion of works under Act of 1868.

51. It shall be lawful for the corporation on the one hand and for the Company on the other hand to enter into and carry into effect contracts and agreements for the payment by the

Power to corporation and Company to enter

A.D. 1872.
into agree-
ments.

Company of the purchase money of forty-three thousand pounds mentioned in the corporation agreement of 1867, or any part thereof, by instalments and with interest, after any agreed rate, upon any parts thereof of which the payment shall be agreed to be postponed, and for empowering the Company to enter into possession of all or any part of the lands by the same agreement agreed to be sold by the corporation to the Company during the suspense of payment of such purchase money or any part thereof, subject to a lien of the corporation upon all or any of such land for the unpaid purchase money and the interest thereof, or either of them; and also to enter into and carry into effect agreements with respect to the construction and maintenance of sewers and drains, and the acquisition of land for the same, and for all or any of the above purposes to vary, modify, and cancel all or any of the provisions of the corporation agreement of 1867, and any other agreement now subsisting between the corporation and the Company with respect to all or any of the matters aforesaid, and all or any awards or award imposing obligations upon the Company with respect to all or any of the matters aforesaid; and, subject to such variations and modifications and power of cancellation as aforesaid, the said agreement of 1867 and all other agreements now subsisting as aforesaid, and every such award as aforesaid, shall remain in full force and effect, and all obligations and liabilities of the Company in respect thereof shall be enforced, anything in this Act contained to the contrary notwithstanding.

If land of
corporation
not bought
within
limited pe-
riod, powers
of purchase
to cease.

52. If within six months after the passing of this Act the Company shall not have paid the said purchase money to the corporation, or shall not have entered into a contract for the payment of the same in pursuance of the provisions contained in the last preceding enactment, all the powers of the Company, whether under the said Act of 1868 or under the corporation agreement of 1867, for the purchase of the lands coloured pink on the plan referred to in the first article of the said agreement shall cease, and the said lands shall remain vested in the corporation absolutely freed and discharged from all contracts, covenants, and enactments for the sale thereof, or of any part thereof, to the Company; and the Company shall pay to the corporation such compensation for loss or damage sustained by them by reason of the delay of the Company in fulfilling the said agreement of 1867, and by reason of the ultimate breach of the said agreement, as shall be or shall have been agreed on between the parties.

Soil of cer-
tain streets
to remain in
corporation.

53. Notwithstanding anything contained in the 34th section of the Act of 1868, the site and soil of the portions of Chichester Street, May Street, May Square East, Lagan Street, and Stewart

Street described in the said section which have not yet been conveyed to the Company, shall remain vested in the corporation; and the site and soil of the portion of Oxford Street described in the same section shall not be appropriated and used by the Company unless and until they shall have purchased the Pork Market from the corporation, in pursuance of the provisions of this Act and of the recited Acts.

A.D. 1872.

54. If the Company shall not require, for the purposes of their undertaking, lands numbered Lots 7 and 8 on certain particulars of sale of superfluous lands issued by the directors of the Company on the fourteenth day of October one thousand eight hundred and seventy and heretofore purchased of the corporation, the Company shall, in the first instance, offer the same lands to the corporation for purchase, according to the provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the sale of superfluous lands.

Corporation may have right of pre-emption of certain lands.

55. Subject to the provisions of this Act, if any lands acquired by the Company for the purposes of their undertaking be not so used, the Company, when and as they think fit, may convey or demise for any term of years such lands or any parts thereof to any persons agreeing to erect thereon, or on any parts thereof, erections or buildings of such rate or class of buildings, and upon such plan and elevation, and of such height, and with such storeys, and with such yards or gardens, as the Company shall think proper, and the Company may (if they think fit) take any fine for such conveyance or lease, and may (if they think fit) reserve any rent in any such conveyance or lease, and every such conveyance or lease shall contain a covenant for the payment of any rent thereby reserved, and such other covenants on the part of the grantee or lessee as the Company think reasonable, and a clause in the nature of a condition of re-entry on nonpayment of any rent thereby reserved, or non-performance of the covenants on the part of the grantee or lessee therein contained.

Power to grant building leases of lands.

56. The Company may, if they think fit, from time to time enter into any agreement for such a conveyance or lease on such terms and conditions as they think fit, and on making a conveyance or lease in pursuance thereof may alter the amount of rent agreed to be reserved, and may apportion the same and make separate leases of any parts of the lands comprised in the agreement as they think fit, and may alter and rescind any such agreement; and the Company may accept the conveyance or surrender of any lease for the purpose of making separate leases of the same lands or parcels at apportioned rents, or another lease of the same lands

Power to make agreements as to building leases.

A.D. 1872. — under different covenants or otherwise, in all respects as they think fit.

Sale of land
subject to
building
leases.

57. The Company, as and when they think fit, and either before or after any such conveyance or lease is granted, may sell and dispose of any rent reserved or agreed to be reserved for any such lands, and the reversion and inheritance in fee simple in possession (subject to any such lease or agreement of or concerning the lands) of such erections and buildings except such as have been otherwise disposed of under this Act, either altogether or in parcels, by public auction or by private contract, for such price as the Company think reasonable, and subject to such stipulations and provisions for the enjoyment thereof, and as to the nature of the erections and buildings which are to be at all times erected thereon, and to such stipulations as to the title to be produced to the hereditaments sold, as the Company think fit; and the Company shall, at the request and expense of each purchaser, on payment of his purchase money, by deed convey and assure the lands purchased by him, with the erections and buildings thereon and the appurtenances, to the purchaser, his heirs and assigns, or as he directs, free from incumbrances, except the building lease or agreement of or concerning the same made under this Act.

Power to
sell without
previous
grant of
building
leases.

58. The Company, if they think it expedient, may from time to time sell and dispose of, in manner herein-before directed, any such lands as aforesaid without having previously made or agreed to make any lease thereof, and convey and assure the same to the purchaser thereof, for such price, and upon, under, and subject to such covenants and agreements on the part of the purchaser with respect to the rate or class of the erections and buildings to be erected thereon, and the height, size, and elevations thereof, and the time and manner of erecting the same, and with respect to any other matters, restrictions, and things relating thereto, as the Company think fit.

Sales to be
made within
twenty years.

59. The Company shall, before or at any time within twenty years after the completion of the work for the purposes whereof any lands are acquired, sell or dispose of and convey such parts of those lands as are not wanted for the purposes of the same work or of any other work for the time being authorised to be made by the Company, and the rents reserved in any such conveyances or leases as aforesaid.

Power to
sell, &c. land
not wanted.

60. Subject to the other provisions of this Act, the Company may from time to time sell, lease, exchange, or otherwise dispose of any building or lands, or any parts thereof, vested in them at the commencement of this Act or acquired by them under this Act, and

not wanted for the purposes thereof, and make, execute, and do any deed, act, or thing proper for effectuating any such sale, lease, exchange, or other disposition.

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61. None of the provisions contained in the last six preceding sections hereof shall apply to any lands or tenements acquired by the Company from the harbour commissioners or from the County Down Company.

Last six sections not to apply to lands acquired from the harbour commissioners.

62. All lands and tenements acquired by the Company from the harbour commissioners, and which shall not be used by the Company for the purpose of their undertaking, shall be absolutely sold and disposed of by the Company within five years after the expiration of the time limited for the completion of the works, and they shall apply the purchase money arising from all such sales to the purposes to which the money arising from the sale of any other of their superfluous lands is applicable, and in default thereof all such superfluous lands and tenements as the Company may require from the harbour commissioners shall vest in and become the property of the harbour commissioners.

Lands acquired from harbour commissioners to be sold within five years.

63. Before the Company dispose of any superfluous lands acquired from the harbour commissioners they shall first offer in writing to sell them to the harbour commissioners, who, if they be desirous of purchasing the same or any part thereof, shall within six weeks after such offer signify their desire in writing in that behalf to the Company; and if the harbour commissioners decline such offer, or for six weeks neglect to signify their desire to purchase, the harbour commissioners right of pre-emption shall cease.

Pre-emption to harbour commissioners.

64. If the harbour commissioners, after having signified their desire of purchasing any such lands or tenements as aforesaid, do not agree as to the price, then such price shall be ascertained in the manner provided by "The Lands Clauses Consolidation Act, 1845," for ascertaining the price to be paid by persons entitled to pre-emption and desirous of purchasing superfluous lands.

Price to be settled by arbitration.

65. No sale, lease, or demise under the powers herein-before contained shall be made by the Company with respect to any lands acquired from the corporation, and the purchase money of which is for the time being unpaid, without the consent of the corporation first had and obtained in writing under their common seal.

Consent of corporation where necessary to sales, &c.

66. It shall be lawful for the Company, and any company or person lawfully using the undertaking of the Company, to enter into and carry into effect contracts and arrangements with the corporation and the harbour commissioners, or either of them,

Providing for agreements with Belfast Harbour Commissioners

A.D. 1872.

and corpo-
ration as to
tramways
and railways.

with respect to any rails laid or to be hereafter laid or tramways constructed or to be hereafter constructed in the borough of Belfast by either the commissioners or the corporation, or by, with, or under the permission, license, or authority of them or either of them, and which may communicate with any railway or tramway belonging to the Company, for all or any of the following purposes; that is to say,

The maintenance, working, and use by all or either of the contracting parties of the railways and tramways of the Company, or any part thereof, and the maintenance, use, and working by horse power only of any tramway or tramways which may have been or may be constructed by the corporation or commissioners in the borough of Belfast, and which may communicate with any railway or tramway belonging to the Company :

The regulation, management, and transmission of the traffic on such railways and tramways :

The supply and maintenance of engines, stock, and plant for the same :

The fixing, collection, payment, division, and appropriation of the tolls and other income and profits arising therefrom, and the rents, tolls, contributions, allowances, and payments to be paid or made by either of the contracting parties to the other of them :

The employment of officers and servants :

The appointment of a joint committee for all or any of the purposes aforesaid :

Provided always, that neither the Company nor any other company or person shall use the tramways of the corporation, or which are constructed or used by, with, or under their permission, authority, or license, unless with the previous consent of the corporation under their corporate seal, and subject to such restrictions and conditions as the corporation shall from time to time prescribe : Provided also, that no locomotive engine or other than horse power shall be used upon any tramways belonging to or constructed or used by the leave of the corporation : Provided also, that nothing herein-before contained shall extend to prevent the use of locomotive engines on any tramway or tramways belonging to the commissioners, and constructed or to be constructed by them under the authority of any Act or Acts of Parliament, on which tramways locomotive engines may now be lawfully used, or may hereafter be authorised to be used.

Authorising
agreements
with North-
ern Counties
Company.

67. It shall be lawful for the Northern Counties Company and the Company to enter into and carry into effect agreements relative to the use or prospective use, and the payment of rent,

rates, fares, and charges for the use or prospective use by the Northern Counties Company of all or any part of the undertaking of the Company, with a view to the more convenient future connexion of the Northern Counties Company's undertaking therewith and its accommodation thereon, and relative to remunerating the Company by rent or capital payment for so doing, and relative to the making of future application to Parliament for power to extend the undertaking of the Company to the Northern Counties Railway, or the undertaking of the Northern Counties Company to that of the Company, and to the raising of funds for the same.

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68. The Company on the one hand, and the Bangor, County Down, Ulster, and Northern Counties Companies (herein called the four companies), or any of them, on the other hand, may, subject to the provisions of Part III. of "The Railways Clauses Act, 1863," from time to time enter into and carry into effect contracts or arrangements with respect to the following purposes, or any of them; (that is to say,)

Power to enter into traffic arrangements with various railway companies.

The use of the railway or of any part or parts thereof:

The payments to be made and the conditions to be performed with respect to the matters aforesaid:

The interchange, accommodation, conveyance, and delivery of traffic coming from or destined for the undertakings of the contracting companies, and the fixing and division between the said companies of the receipts arising from such traffic:

The rents, payments, allowances, rebates, and drawbacks to be paid, made, or allowed by any of the contracting companies to any other of them:

Provided, that in exercise of such powers neither the Bangor, County Down, nor the Northern Counties Companies shall, without the consent of the Ulster Company, use the Ulster line or station for any traffic other than the local traffic which arises on the Central Railway, nor shall either the Ulster Company or the Northern Counties Company, without the consent of the County Down Company, use the County Down line or station for any traffic other than the said local traffic.

69. The provisions contained in sections forty-seven and forty-eight of the Act of 1864, and in section twenty-nine of the Act of 1865 respectively, relating to contracts and arrangements which the Company are thereby authorised to enter into and carry into effect, shall respectively extend and be applicable to the railway and tramway by this Act authorised to be constructed as if they had been described in and authorised by the Acts of 1864 and 1865 respectively.

Extending provisions of Company's Acts as to working.

70. Nothing herein contained shall prejudice or affect any rights, remedies, or powers of the Public Works Loan Commis-

Saving rights of Public Works Loan Commissioners.

A.D. 1872. sioners or their secretary under the Acts relating to those commissioners, and the several securities made to them by the Company for recovery of the amount due for principal and interest in respect of the several sums advanced to the Company by those commissioners, but all such rights, remedies, and powers shall be available and may be exercised and enforced in the same manner and with the same result as if this Act had not been passed.

Saving existing rights.

71. Excepting as by this Act is expressly provided, nothing herein contained shall alter the rights or priorities of any classes of shareholders or of mortgagees, or shall give validity to or shall invalidate any alleged or actual agreement, rentcharge, debenture share, security, or claim of, in, or affecting the Company or its undertaking, or to which the Company is party.

Interest not to be paid on calls paid up.

72. The Company shall not, out of any money by this Act authorised to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him: Provided always, that this Act shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

Deposit for future Bills not to be paid out of capital.

73. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Company not exempt from provisions of present and future general Acts.

74. Nothing herein contained shall be deemed or construed to exempt the Company from the provisions of any general Act relating to railways, or to the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels, authorised by this Act.

Expenses of Act.

75. All costs, charges, and expenses of and incidental to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company in priority to all other claims.