



## CHAPTER ccxxvi.

An Act to authorise the Belfast Central Railway Company to  
construct a railway in the town of Belfast for connecting  
their railway with the railway or tramway of the Belfast  
Harbour Commissioners on Donegal Quay ; and for other  
purposes. [10th August 1877.] A.D. 1877.

**W**HEREAS it is expedient that the Belfast Central Railway  
Company (in this Act called "the Company") be authorised  
to construct the railway herein-after described, and by this Act  
authorised, for connecting their railway with the railway or tramway  
of the Belfast Harbour Commissioners, in this Act called "the  
Commissioners," on Donegal Quay :

And whereas by "The Belfast Central Railway Act, 1872," (in  
this Act called "the Act of 1872,") the Company were empowered  
to create and issue a stock to be called B Debenture Stock, and to  
apply the moneys to be raised by the issue of such stock in (amongst  
other things) the construction of certain works therein specified,  
and any other works of the Company :

And whereas during the progress through Parliament of the Bill for  
this Act an alteration was made in the works thereby proposed to be  
authorised, and plans and sections (herein-after called "the amended  
deposited plans and sections") of the said works as so altered, and a  
book of reference to such plans, were deposited with the clerk of  
the peace for the county of Antrim on or about the ninth day of  
May one thousand eight hundred and seventy-seven :

And whereas the amended deposited plans and sections show the  
line and levels of the railway authorised by this Act, the said plans  
showing also the lands to be taken compulsorily under the powers  
of this Act, and the book of reference to the said plans contains the  
names of the owners and lessees, or reputed owners and lessees, and  
of the occupiers of the lands required or which may be taken for  
the purposes or under the powers of this Act :



[Ch. ccxxvi.] *The Belfast Central Railway* [40 & 41 Vict.]  
(*Extensions*) Act, 1877.

A.D. 1877. And whereas the objects of this Act cannot be attained without the authority of Parliament:

—  
May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. 1. This Act may be cited as "The Belfast Central Railway (Extensions) Act, 1877."

Certain provisions of general Acts herein named incorporated. 2. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Railways Clauses Consolidation Act, 1845," and Part I. (relating to construction of a railway) of "The Railways Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation. 3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction.

Power to make railway, &c. 4. Subject to the provisions of this Act, the Company may make and maintain the railway herein-after described in the lines and according to the levels shown on the amended deposited plans and sections, with all proper and sufficient rails, sidings, turntables, stations, approaches, roads, buildings, yards, and other works and conveniences connected with the said railway, and they may enter upon, take, and use such of the lands delineated on the said plans and described in the book of reference thereto as may be required for that purpose. The railway herein-before referred to and authorised by this Act is—

A railway, on the amended deposited plans and sections called railway or tramway (No. 3), 1 furlong 1 chain and 14 yards or thereabouts in length, wholly in the townland of Town Parks, in the parish of Shankhill, otherwise Belfast, in the county of Antrim, commencing by a junction with the Company's existing line of railway which passes through their goods shed at Oxford Street, at a point about 10 yards south-eastward from the southern end of that shed, and terminating on Donegal Quay, at a point not being less than 100 feet or more than 102 feet northward of the point at which the said railway would be intersected by a line drawn in continuation of the centre line of the roadway of the Queen's Bridge.



5. The said railway shall be carried beneath the street or quay through a tunnel, from a point about 270 feet south of the centre line of the Queen's Bridge to a point on Donegal Quay not being less than 100 feet or more than 102 feet northward of the point at which the said railway would be intersected by a line drawn in continuation of the said centre line of the roadway of the Queen's Bridge. The said tunnel shall be so placed and the rails therein shall be so laid that the upper surface of the rails of the said railway shall at the northern extremity thereof be at the least 10 feet 6 inches above the Ordnance datum line, and the upper surface of the roadway over the said tunnel shall be so constructed and laid that the same shall not at any point northward of the centre line of the said bridge be higher than 24 feet 9 inches above the Ordnance datum line, and that the centre line of the said tunnel shall not be less than 65 feet or more than 67 feet from the face of the houses on Donegal Quay, measured at right angles therefrom, and that for a space of 40 feet at the least measured southwards from the northern extremity of the said tunnel a good and sufficient roadway or approach from the Queen's Bridge and Anne Street to the Commissioners Quay, lying between the said tramway and the River Lagan, shall be formed and made by the Company, with an elevation not exceeding 24 feet 9 inches measured from the Ordnance datum line to the upper surface of the said roadway, and that such roadway shall be made so as to afford a free approach from the said Queen's Bridge and Anne Street to the Commissioners Quay aforesaid.

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As to mode of construction of the railway under and near the Queen's Bridge.

6. The Company shall not take any of the lands, quays, tramways, or other property of the Commissioners, save so much only as shall be necessary for the construction of the said tunnel, without the consent in writing of the Commissioners under their common seal first had and obtained.

Certain lands only of the Commissioners to be taken except by consent.

7. The Company shall make compensation to the Commissioners in respect of any injuries done to Canal Quay and the approaches thereto by the works to be executed by the Company, such compensation to be made either in land or in money, as may be agreed upon between the Company and the Commissioners. If the Company and the Commissioners shall not agree with respect to the compensation to be so made, the Company shall pay to the Commissioners such compensation in money as shall be ascertained by arbitration under the provisions of "The Common Law Procedure Amendment Act (Ireland), 1856;" and the Company, on the one hand, are hereby empowered to convey to the Commissioners any land belonging or which may belong to them adjoining Lagan Bank

Commissioners to be compensated for injury to Canal Quay, &c.



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As to user  
of the Com-  
missioners  
tramways.

8. Neither the Company or any other person, company, or corporation lawfully using the railway of the Company shall use any of the tramways of the Commissioners unless with the previous consent of the Commissioners under their corporate seal, and then only subject to such restrictions and conditions as the Commissioners may from time to time prescribe.

For protec-  
tion of  
streets, &c.  
in Belfast.

9. Notwithstanding anything in this Act contained, the following provisions shall apply and have full force and effect for the protection of the mayor, aldermen, and burgesses of the borough of Belfast (in this Act called the Corporation), and the streets, roads, sewers, and gas mains belonging to them or under their control:

- (1.) The said railway shall be carried under the Lagan Bank Road and adjoining streets in the line and according to the levels shown on the amended plan and section identified by the signature of the Right Honourable John Thomas Earl of Redesdale, the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred, one copy of which plan and section has been deposited at the Parliament Office at the said House:
- (2.) The Company shall not, in constructing the railway across, through, or under any street or road within the said borough, exercise any powers of deviating upwards from the level of the railway as shown in the said amended section:
- (3.) The level of Queen's Bridge and the approach thereto from Ann Street shall not be altered, and, except with the consent of the Corporation in writing, the inclination of Lagan Bank Road and Oxford Street respectively shall not be steeper than 1 in 35:
- (4.) Where any of the works authorised by this Act shall or may pass over or under or by the side of or so as to interfere with any sewer, gas main, drain, watercourse, defence, or work belonging to or under the control of the Corporation, or with any sewers or works to be made or executed by the Corporation, or shall or may in any way affect the sewerage or drainage of the said borough, the Company shall not commence such work until they shall have given to the Corporation twenty-one days previous notice in





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ance with the provisions of the Railways Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration.

For protec-  
tion of  
Belfast  
Water Com-  
missioners.

10. Whereas certain mains, pipes, services, and other works belonging to and now in use by the Commissioners acting in execution of "The Belfast Water Act, 1840," "The Belfast Water Act, 1865," and "The Belfast Water Act, 1874," (herein-after called "the Water Commissioners,") for the purpose of their water supply, are laid in, under, or across certain of the roads, streets, or lands along or across which the railway by this Act authorised, or some part thereof, is proposed to be made and maintained: And whereas it is expedient that provision should be made for preventing any interruption of the supply of water by the Water Commissioners within their limits of supply, and with respect to laying additional mains, pipes, services, and other works under, over, or across the roads, streets, or lands along or across which the said railway is proposed to be made and maintained: Therefore the following provisions shall have effect:

- (A.) All works, matters, or things which the Company may be empowered or required to do or execute with reference to the mains, pipes, services, or other works of the Water Commissioners shall be done and executed by and at the expense of the Company, but to the satisfaction of the engineer for the time being of the Water Commissioners. Such works, matters, or other things shall not be commenced till after fourteen days notice thereof in writing shall have been given by the Company to the Water Commissioners; and if the Water Commissioners by notice in writing to the Company, within seven days after the receipt by them of notice of the intended commencement by the Company of any such work, matter, or thing, require that the Water Commissioners shall, by their own engineer or workmen, do or execute such work, matter, or thing, the Water Commissioners may, on the expiration of the first-mentioned notice, do or execute the same, and the Company shall, on the completion thereof, pay to the Water Commissioners the reasonable expenses incurred by them in the execution thereof:
- (B.) The Company shall bear the reasonable expenses of and incident to the superintendence and watching by the Water Commissioners or their engineer or officers of the works by this Act authorised during the progress and





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of the Water Commissioners at, under, or near the said railway, nor for any loss or damage to the Company arising from the stoppage or loss of traffic on the said railway during the repair of the said mains, pipes, services, or other works which may be necessary in consequence of such accident, unless such loss or damage shall have been occasioned by the default or neglect of the Water Commissioners, or of their agents, officers, workmen, or servants :

- (G.) Nothing in this Act shall prevent the Water Commissioners from laying at their own expense, from time to time as they may think fit, such additional mains or pipes, with all scour pipes, and air and other valves, for supplying water as they are now authorised to lay, or from repairing or from time to time inspecting any of their now authorised mains, pipes, services, or other works at, under, over, across, or near the said railway, and the Water Commissioners shall not be liable for any damage to the said railway or works connected therewith respectively, or for any stoppage of the said railway or loss of traffic thereon, that may be caused by the laying, repairing, or inspecting of any such mains, pipes, services, or other works at, under, over, across, or near the said railway : Provided that the operations of the Water Commissioners shall be carried on so as to interfere as little as possible with the traffic on the said railway, and, so far as they affect the said railway or works of the Company, according to the directions and under the superintendence of the engineer for the time being of the Company :
- (H.) The Water Commissioners shall not be liable for any damage or injury done to the said railway by reason of any of the works executed under this Act, or consequent on the execution thereof, unless such damage or injury shall have been occasioned by the default or neglect of the Water Commissioners, or of their agents, officers, workmen, or servants :
- (I.) If any difference shall arise between the Company or their engineer and the Water Commissioners or their engineer touching the amount of any costs, expenses, or charges under the provisions of this Act, or any Act incorporated therewith, to be paid by the Company to the Water Commissioners, or touching any work, matter, or thing with reference to the mains, pipes, services, or other works of



the Water Commissioners, under such provisions, to be done or executed by the Company or the Water Commissioners, or the mode of doing or executing the same, such difference shall be settled by arbitration in accordance with the provisions of the Companies Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration :

(J.) Except as in this Act specially provided, nothing in this Act shall prejudice, diminish, alter, or take away any of the rights, privileges, powers, or authorities of the Water Commissioners.

II. With respect to the Post Office telegraph system the following provisions shall take effect :

(A.) The Company shall not by any work or thing interfere with any telegraph post, wire, tube, apparatus, or work of Her Majesty's Postmaster General, or execute or do any work or thing causing or likely to cause any interruption of or impediment to postal telegraphic communication, unless and until the Company have given to the Postmaster General one calendar month's previous notice in writing of their intention to execute or do the proposed work or thing, specifying all necessary and proper particulars relating thereto, and unless and until the Postmaster General has approved of the proposed work or thing by writing delivered to the Company, or has failed to approve or to disapprove of the same for one calendar month after service of such notice and particulars on him : Provided always, that this section shall not be deemed to prevent the Company executing any repairs or other works or things which shall be necessary to prevent accidents, and in any such case the Company shall forthwith give notice to the Postmaster General of any such interference and the reason for the same :

Restriction on works affecting Post Office telegraph system.

(B.) Her Majesty's Postmaster General may annex to his approval under this Act of any work or thing such reasonable terms and conditions as to the time and mode of execution of any such work or thing as he thinks fit, and the Company shall observe and perform the same :

Power for Postmaster General to annex conditions.

(C.) The engineer and other officers and servants and workmen of Her Majesty's Postmaster General may at and for all reasonable times enter on and into and remain on any of the railways, lands, and works of the Company for the purpose of examining, repairing, altering, or removing

Power of entry for Postmaster General.



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Compensation by Company to Postmaster General, and penalty.

any telegraph post, wire, tube, apparatus, or work the property of the Postmaster General being thereon :

(D.) The Company shall from time to time make full compensation to Her Majesty's Postmaster General for any expense, loss, or damage which he is put to or sustains by reason of the Company, by any work or thing executed or done by them, interfering with any telegraph post, wire, tube, apparatus, or work of the Postmaster General; and if at any time any such work or thing causes an interruption of or impediment to postal telegraphic communication, the Company shall, in addition to making compensation as aforesaid, be liable to forfeit a sum not exceeding twenty pounds for every twenty-four hours during which that interruption or impediment continues; and the amount of any such expense, loss, damage, or forfeiture shall be a debt due from the Company to the Crown, and be recoverable accordingly with costs, or the same may be recovered with costs on behalf of the Postmaster General as a penalty is recoverable from the Company :

Power for Postmaster General to construct and work telegraphs, &c.

(E.) Her Majesty's Postmaster General, on, over, along, and across any of the railways, works, and lands for the time being of the Company, may from time to time construct such line or lines of telegraphs as he thinks fit, with all necessary and proper posts, wires, apparatus, and other works connected therewith, and remove or vary the same, and construct others instead thereof or in addition thereto, and may maintain, inspect, test, repair, reinstate, work, and use the same as they for the time being exist, and may by his engineers and other officers, servants, and workmen, at and for all reasonable times, for all or any of the purposes aforesaid, enter on and into and remain on those railways, works, and lands, but in the exercise of the powers of this section the Postmaster General shall not interfere with the traffic on any of the Company's railways, and shall cause as little inconvenience as may be to the Company, and shall execute and do every work or thing to the reasonable satisfaction of the engineer of the Company; and if at any time the Company desire to make at their own expense any alteration in any work executed by the Postmaster General under the authority of this section, without interrupting or impeding postal telegraphic communication, they may do so, first giving notice



in writing to the Postmaster General of their intention; and in the exercise of the powers given by this section the Postmaster General shall do as little damage as may be, and shall make full compensation to the Company for all damage sustained by them by reason or in consequence of the exercise of such powers, the amount and application of such compensation to be determined in manner provided by "The Lands Clauses Consolidation Act, 1845," and any Act amending the same, for the determination of the amount and application of compensation for lands taken or injuriously affected:

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(F.) Inasmuch as it is contemplated to introduce a general measure for the better protection of the national telegraphs, and to enlarge the powers of the Postmaster General in relation thereto, this section shall only remain in force for one year from the date of the passing of this Act, and to the end of the then next session of Parliament.

Provisions to remain in force for one year and to the end of the then next session of Parliament.

**12.** The Company may apply for the purposes of this Act so much as may be necessary of any money raised or to be raised by the issue of any part of the B debenture stock authorised by the Act of 1872 which is by section 21 of that Act made applicable to any works of the Company.

Company may apply B debenture stock for purposes of this Act.

**13.** 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.

Period for compulsory purchase of lands.

**14.** Subject to the other provisions of this Act, the Company, in constructing the railway by this Act authorised, may deviate from the line thereof laid down on the amended deposited plans to any extent within, but to no greater extent than, the limits delineated in that behalf on those plans, and the Company may deviate vertically from the levels of the said railway, as shown on the amended deposited sections, to any extent not exceeding five feet either upwards or downwards, but the Company shall not be at liberty to deviate either laterally or vertically from the levels or lines described in sections 4 and 5 of this Act without the consent of the Commissioners in writing under their common seal first had and obtained.

Power to deviate from line of railway.

**15.** With reference to this Act, all the provisions of sections seven, eight, and nine of "The Railways Clauses Consolidation Act, 1845," 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 union" (as the case may be), had

As to deposit of plans with clerks of unions.



A.D. 1877. been used and inserted in such sections in lieu of the expression  
— “ the postmasters of the post towns in or nearest such parishes  
“ in Ireland,” or in lieu of the word “ postmasters ” (as the case  
may be).

Deposit  
money not  
to be repaid  
until line  
opened or  
half the  
capital paid  
up and ex-  
pended.

16. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, the sum of nine thousand one hundred and eighty-three pounds eleven shillings, being five per centum upon the amount of the estimate in respect of the works proposed to be authorised by the Bill for this Act as originally introduced into Parliament, was duly deposited with the Court of Chancery in Ireland in respect of the application to Parliament for this Act: And whereas the sum so deposited has been since invested in the purchase of nine thousand five hundred and sixty-two pounds thirteen shillings and sevenpence new three per centum consolidated Bank annuities: And whereas the estimate for the railway by this Act authorised amounts to thirteen thousand five hundred and ninety-two pounds fifteen shillings, five per centum upon which is six hundred and twenty-five pounds twelve shillings and ninepence, and which last-mentioned sum is represented by seven hundred and seven pounds thirteen shillings and elevenpence, part of the said sum of nine thousand five hundred and sixty-two pounds thirteen shillings and sevenpence stock: Be it enacted, that, notwithstanding anything contained in the said Act, seven hundred and seven pounds thirteen shillings and elevenpence, part of the said sum of nine thousand five hundred and sixty-two pounds thirteen shillings and sevenpence stock aforesaid, and representing five per cent. upon the amount of the estimate in respect of the railway by this Act authorised, shall not be 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 by this Act authorised, either open the same for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have expended for the purposes of this Act a sum equal in amount to such one half of the said sum of thirteen thousand five hundred and ninety-two pounds fifteen shillings (the amount of the estimate for the said railway); 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 seven hundred and seven pounds thirteen



shillings and elevenpence stock 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 above-mentioned Act to the contrary notwithstanding.

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17. The said sum of seven hundred and seven pounds thirteen shillings and elevenpence stock 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 railway by this Act authorised, 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 stock, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer, in such manner as the Court of Chancery in Ireland thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof; provided that until the said stock has been transferred to the depositors, or has 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.

Application  
of deposit.

18. On the application of the persons named in the warrant or order issued in pursuance of the said Act of the ninth and tenth

Release of  
balance of



[Ch. ccxxvi.] *The Belfast Central Railway* [40 & 41 VICT.]  
(*Extensions*) Act, 1877.

A.D. 1877. years of Her present Majesty, chapter 20, or of the survivors or  
money de- survivor of them, or of the majority of such persons or survivors, or  
posited. of the executors or administrators of the last survivor, by petition in  
a summary way at any time after the passing of this Act, the Court  
of Chancery in Ireland may and shall order that the balance of eight  
thousand eight hundred and fifty-four pounds nineteen shillings and  
eightpence of the sum of nine thousand five hundred and sixty-two  
pounds thirteen shillings and sevenpence stock, representing the  
sum so deposited as aforesaid over and above the said sum of seven  
hundred and seven pounds thirteen shillings and elevenpence, and  
the interest and dividends thereof respectively, shall be paid or  
transferred to the persons or person so applying, or to any other  
person or persons whom they or he may appoint in that behalf.

Period for completion of works. **19.** If the railway be not completed within five years from the  
passing of this Act, then on the expiration of that period the  
powers by this Act granted to the Company for making and com-  
pleting the railway, or otherwise in relation thereto, shall cease to  
be exercised, except as to so much thereof as is then completed.

Tolls. **20.** The Company may demand and take upon and in respect of  
the railway by this Act authorised to be made by the Company, and  
every or any part thereof respectively, the tolls, rates, and charges  
by "The Belfast Central Railway Act, 1872," authorised to be  
demanded and taken: Provided always, that no officer of Customs  
passing into, through, or over any of the works authorised by this  
Act at any time, and being in the execution of his duty, shall be  
liable to any toll, rate, or charge on account thereof.

Company not exempt from provisions of present and future general Acts. **21.** Nothing in this Act contained shall exempt the Company  
or the railway by this Act authorised from the provisions of any  
general Act relating to railways, or 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. **22.** All costs, charges, and expenses of and incident to the  
preparing for, obtaining, and passing of this Act, or otherwise in  
relation thereto, shall be paid by the Company.