

**CHAPTER clxxxiv.**

An Act to authorise the Belfast Central Railway Company to make new Railways and Works; to lay additional rails on their existing Railways, and on certain parts of the Belfast and County Down and Belfast, Holywood, and Bangor Railways; and for other purposes.

A.D. 1880.

[26th August 1880.]

WHEREAS by the Belfast Central Railway Act, 1864 (in this Act called "the Act of 1864"), the Belfast Central Railway Company (in this Act called "the Company") were incorporated and were authorised to make and maintain railways for connecting the several railways in the town of Belfast, and a tramway and a central station in Belfast:

27 & 28 Vict.
c. ccliv.

And whereas the following Acts have since been passed relating to the Company and their undertaking; that is to say,

The Belfast Central Railway Act, 1865 (in this Act called "the Act of 1865");

28 & 29 Vict.
c. ccxx.

The Belfast Central Railway Act, 1868 (in this Act called "the Act of 1868");

31 & 32 Vict.
c. clxvi.

The Belfast Central Railway Act, 1872 (in this Act called "the Act of 1872");

35 & 36 Vict.
c. clxxi.

The Belfast Central Railway (Extensions) Act, 1877 (in this Act called "the Act of 1877"); and

40 & 41 Vict.
c. ccxxvi.

The Belfast Central Railway Act, 1879 (in this Act called "the Act of 1879"):

42 & 43 Vict.
c. clxiv.

And whereas the Company have constructed and opened for traffic their authorised railways and works:

And whereas the new railways and works by this Act authorised would be of local and public advantage, and it is expedient that the Company be authorised to construct the said railways and execute the said works:

And whereas it is expedient that certain of the new railways by this Act authorised be constructed on the gauge of three feet, and, in order to provide for the passage of traffic coming from or destined

A.D. 1880. — for the same over the existing railways of the Company, that the Company be empowered to lay down additional rails upon those existing railways :

And whereas it is expedient that others of the new railways by this Act authorised be constructed upon the mixed gauge of five feet three inches (being the gauge of the Company's existing railways) and of three feet :

And whereas it is expedient that certain of the railways and works by this Act authorised be constituted a separate undertaking of the Company, with a separate capital, proprietary, and borrowing powers, and that such provision be made as is herein-after in that behalf contained with respect to such separate capital, and also with respect to the capital to be raised for the other purposes of this Act :

And whereas the existing railways of the Company join the Belfast and County Down Railway (in this Act called "the County Down Railway") and the Belfast, Holywood, and Bangor Railway (in this Act called "the Bangor Railway"), and it is expedient, for the purpose of providing for passage of engines and carriages of the gauge of three feet between those railways and the railways of the Company, that the Company be authorised to lay down additional rails upon the parts of the County Down Railway and the Bangor Railway in that behalf in this Act specified :

And whereas it is expedient that so much of the Company's existing railway as will be rendered unnecessary by the construction of the railway No. 1 by this Act authorised be abandoned :

And whereas it is expedient that the Company be authorised to purchase and acquire additional land for station and other purposes :

And whereas it is expedient that the Company and the Belfast Harbour Commissioners (in this Act called "the Harbour Commissioners") be empowered to enter into and carry into effect agreements as between themselves and with the Corporation of Belfast with reference to the laying down of additional rails upon the railways or tramways of the Commissioners :

And whereas plans and sections showing the lines and levels of the railways and works authorised by this Act, and plans of the additional lands to be purchased under the powers of this Act, and also books of reference to those plans respectively containing 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, were duly deposited with the clerks of the peace for the counties of Antrim and Down, and are herein-after referred to as the deposited plans, sections, and books of reference :

A.D. 1880.

Short title.

Incorporation of
general
Acts.
8 & 9 Vict.
c. 16.

26 & 27 Vict.
c. 118.
8 & 9 Vict.
c. 18.
14 & 15 Vict.
c. 70.
23 & 24 Vict.
c. 97.
26 & 27 Vict.
c. 106.
8 & 9 Vict.
c. 20.
27 & 28 Vict.
c. 71.
31 & 32 Vict.
c. 70.
26 & 27 Vict.
c. 92.
36 & 37 Vict.
c. 73.

Interpretation of terms.

A.D. 1880. herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction; and the expressions "the County Down Company," and "the Bangor Company," and "the Great Northern Company" mean respectively the Belfast and County Down Railway Company, the Belfast, Holywood, and Bangor Railway Company, and the Great Northern Railway Company (Ireland); the expression "the borough" means the borough of Belfast; and the expression "the Corporation" means the mayor, aldermen, and burgesses of the borough.

Deposit of
plans with
clerks of
unions.

4. With reference to this Act all the provisions of sections 7, 8, and 9 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 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 railways and works hereinafter 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 books of reference as may be required for that purpose. The railways and works herein-before referred to and authorised by this Act will be situate in the counties of Antrim and Down, and are,—

(A.) A widening, 1 furlong and 9 chains or thereabouts in length, of the Company's existing railway, carried by a bridge over the River Lagan, such widening to commence at a point about 18 yards, measured in a northerly direction, from the northern front of the bridge carrying East Bridge Street over the Company's railway, and to terminate, at a point about 135 yards measured northwardly along the Company's railway, from the northern abutment of the bridge carrying that railway over the River Lagan :

(B.) A railway (No. 1), 1 furlong and 8 chains or thereabouts in length, commencing by a junction with the Company's railway at a point about 18 yards northward from the northern face of the bridge carrying East Bridge Street over the said railway, and terminating at a point about 10 yards eastward from the northernmost door leading from the booking office to the

passenger platform of the Queen's Bridge Station of the Company's railway : A.D. 1880.

- (c.) A railway (No. 2), 2 furlongs and $5\frac{1}{2}$ chains or thereabouts in length, commencing by a junction with the Company's railway at a point about 140 yards southward from the southern front of the bridge carrying East Bridge Street over the said railway, and terminating by a junction with the extension railway or tramway No. 3 authorised by the Act of 1877, at a point about 50 yards south-eastward from the south-eastern corner of the booking office abutting on Oxford Street of the Company's Queen's Bridge Station :
- (d.) A railway (No. 3), 1 furlong or thereabouts in length, with a bridge for carrying the same over the River Lagan, commencing by a junction with railway No. 1 by this Act authorised, at a point about 80 yards south-eastwards from the south-easterly end of the passenger platform at the Company's Queen's Bridge Station, and terminating by a junction with the Company's railway authorised by this Act to be widened, at a point about 60 yards southward from the northern abutment of the bridge carrying the Company's railway over the River Lagan :
- (e.) A railway (No. 4), 3 miles 1 furlong or thereabouts in length, commencing by a junction with the Company's railway at a point 110 yards south-eastward from the mile-post on that railway indicating the distance of a quarter of a mile from its commencement at the Ulster Junction, and terminating at a point about 210 yards northward from the northern end of a row of cottages known as Ardoyne Low Cottages :
- (f.) A railway (No. 5), 7 furlongs and 5 chains or thereabouts in length, commencing by a junction with railway No. 4 by this Act authorised, at or near its termination, and terminating on the westerly side of the Cave Hill railway or tramway, at a point about 340 yards northward from the point in the road running alongside the said railway or tramway from the Antrim Road to Cave Hill School, at which the boundary of the borough of Belfast crosses that road :
- (g.) A railway (No. 6), 1 furlong or thereabouts in length, commencing by a junction with railway No. 4 by this Act authorised, at a point near the south side of Falls Road, and about 120 yards eastward from Cloney Bridge, and terminating on the eastward side of the road known as Broadway, at a point about 30 yards southward from the junction of Irwell Street with Broadway :

[Ch. clxxxiv.] *Belfast Central Railway* [43 & 44 VICT.]
(*New Lines, &c.*) Act, 1880.

A.D. 1880.

(H.) A railway (No. 7), 5 furlongs and 5 chains or thereabouts in length, commencing by a junction with railway No. 4 by this Act authorised, at a point about 130 yards south-westward from the junction of Cupar Street with Springfield Road, and terminating in North Howard Street opposite, or nearly opposite, Second Street :

(I.) A railway (No. 8), 4 furlongs and $5\frac{1}{2}$ chains or thereabouts in length, commencing by a junction with railway No. 4 by this Act authorised, at a point about 130 yards westward from Ardoyne Low Cottages, and terminating in the road leading from Crumlin Road past the east side of the works occupied by the Edenderry Company, Limited, at a point about 170 yards from the junction of the two last-mentioned roads :

3 & 4 Vict.
c. lxxix.
28 & 29 Vict.
c. clxxxix.
37 & 38 Vict.
c. cli.
42 & 43 Vict.
c. clxxii.

Provided always, that the Company shall not, without the consent in writing of the Commissioners acting in the execution of the Belfast Water Act, 1840, the Belfast Water Act, 1865, the Belfast Water Act, 1874, and the Belfast Water Act, 1879 (herein-after called "the Water Commissioners"), under their common seal, exercise any of the powers by this Act conferred with reference to so much of railway No. 5 as lies between the Old Park Road, numbered 13 on the deposited plans, in the parish of Shankill, and the termination of that railway.

Protection
of Messrs.
William
Dunville &
Co., Limited.

6. In constructing the railway No. 4 the Company shall not deviate to the northward of the centre line of railway shown on the deposited plans between a point on those plans one and three-quarter furlongs and a point two and a quarter furlongs distant from the commencement of that railway, nor shall the Company, notwithstanding anything in this Act contained, except with the consent of "Wm. Dunville & Company, Limited," or the owners for the time being of the land and property, enter upon, take, use, or interfere with the land or property of "Wm. Dunville & Company, Limited," within the limits of deviation numbered on the deposited plans 15, in the townland of Malone Lower, in the parish of Shankill.

Works
affecting
River Lagan.

7. The widening of the Company's existing railway and railway No. 3 by this Act respectively authorised shall be executed in accordance with the following provisions ; that is to say,

(A.) The piers or columns for the respective works in the River Lagan shall be placed in direct line with the piers of the bridge by which the Company's existing railway is now carried over that river, and their respective diameters shall not exceed the diameters of such existing piers ;

(B.) There shall be left between the new piers or columns respectively a clear space or waterway not less than that between

the existing piers in line with which they are to be placed as A.D. 1880.
aforesaid ;

(c.) There shall be left below every part of the works of the widening and of railway No. 3 respectively a clear headway above the river not less than that of the corresponding parts of the existing bridge ; and

(d.) The existing bridge over the river shall not be widened, except with the consent of the Harbour Commissioners, further than shall be necessary for the laying down of one additional line of railway of the gauge of five feet and three inches.

8. Notwithstanding anything contained in this Act or on the deposited plans and sections, the following provisions shall have effect with reference to the works within the borough of Belfast by this Act authorised : Protection
of the Cor-
poration of
Belfast.

(1.) In this Act "the borough" means the borough of Belfast ; "the Corporation" means the mayor, aldermen, and burgesses of the borough ; "the surveyor" means the surveyor for the time being of the borough :

(2.) The Company shall not enter upon, take, use, or interfere with any part of the markets shown on the deposited plans, and thereon numbered 2, 3, and 4, in the parish of Shankill and townland of Town Parks, except so much thereof as is coloured pink on the copy of the deposited plan signed by the Honourable Percy Scawen Wyndham, the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred, and deposited in the Private Bill Office of that House :

(3.) Before commencing any of the works authorised by this Act the Company shall complete to the satisfaction of the surveyor all necessary works for draining the Lagan Bank Road, and shall raise the soffit of the bridge carrying the Company's railway over that road so as to give an additional clear headway of at least 9 inches :

(4.) In widening the railway over the said Lagan Bank Road the Company shall leave throughout a clear span and headway of not less than that of the Company's present bridge over the said road when altered as herein-before provided :

(5.) The bridge carrying the railway No. 3 by this Act authorised over the said Lagan Bank Road shall have a clear headway throughout above the centre of the said road not less than that of the said existing bridge altered as herein-before provided, and a span which shall leave the roadway under the same not less than fifty feet wide in every part, measured on the square,

A.D. 1880.

and shall be so constructed as to leave an open space between it and the existing bridge when widened not less than fifty feet clear, measured along the centre of the said road :

- (6.) Before the Company stop up or in any way interfere with the Blackstaff Road, numbered on the deposited plans 25, in the townland of Malone Lower, and 6, in the townland of Ballymurphy, they shall form and complete to the satisfaction of the surveyor, and with such materials as he may require, a good and sufficient substituted road in the course shown on the deposited plans of a clear width throughout not less than thirty-five feet, and with an inclination in no part steeper than 1 in 35 ; and shall in like manner and to the like satisfaction continue the Broadway, numbered as aforesaid 10, in the townland of Town Parks, in a straight line into the said substituted road by means of a good and sufficient road carried over the River Blackstaff and railway No. 4 by bridges, and such road shall be of not less clear width throughout than forty feet, and the said bridges shall have a space of forty feet clear throughout between the parapets thereof, and no part of the said road or bridges shall be made with an inclination steeper than 1 in 35 :
- (7.) The Company shall not take any part of the said Broadway or interfere with the same except for the purpose of making railway No. 6 across it, and of continuing it into the road to be substituted for the Blackstaff Road, in accordance with the provisions of this section :
- (8.) The bridge carrying the railway No. 4 over the street known as Elliot's Row Road, and numbered 8 as aforesaid, in the townland of Edenderry, shall be constructed with a single span not less than thirty feet clear :
- (9.) The bridge carrying the railway No. 4 over Shankill Road shall be constructed with a single span not less than fifty feet clear ; provided that, if necessary, in order to permit the construction thereof, the Company may raise Springfield Road, No. 17, in the townland of Edenderry, to an extent not exceeding two feet three inches :
- (10.) Where any railway by this Act authorised will cross over any public street it shall (except as in this Act otherwise expressly provided) be carried thereover by a bridge of one span not less than the full maximum width of such street, having a clear headway throughout above the centre of such street not less than fifteen feet :
- (11.) 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 or drain, or gas main or pipe, 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 provide by new, altered, or substituted works, in such manner as the Corporation shall reasonably require, for the proper protection of and for preventing injury or impediment to the sewers, drains, main, pipes, and other works herein-before referred to, or by reason of the said intended work or any part thereof, and shall save harmless the Corporation against all and every the expense to be occasioned thereby: A.D. 1880.

(12.) All works within the borough executed under the powers of this Act shall be executed under the superintendence and to the reasonable satisfaction of the surveyor, and according to plans, sections, and specifications submitted to and approved by the surveyor before the commencement thereof, subject to arbitration, in case of difference, as herein-after provided; and the Company shall not, except with the like approval, deviate from the line or level of any of the works authorised by this Act as shown on the deposited plans and sections:

(13.) Any difference which may from time to time arise between the Company and the surveyor in reference to any such plans, sections, specifications, and works as aforesaid shall be determined by arbitration in accordance with the provisions of the Railways Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration.

9. Notwithstanding anything contained in the Act of the ninth and tenth years of the reign of Her present Majesty, chapter 57, intituled "An Act for regulating the gauge of railways," the Company (a) may make and maintain the new railways and works by this Act authorised upon the several gauges herein-after mentioned, that is to say, railways No. 1, No. 2, and No. 3, and the rails upon the widening of the Company's existing railway, upon the mixed gauge of five feet three inches and three feet, and the railways No. 4, No. 5, No. 6, No. 7, and No. 8 upon the gauge of three feet; and (b) may lay down and maintain additional rails on their existing railways, and every or any part or parts thereof respectively, so that the same may thereafter be upon the mixed gauge above mentioned; and (c) may lay down and maintain additional rails on the County Down Railway and the Bangor Railway respectively for a distance of 200 yards on each side of the respective points at which the Company's railway now forms junctions with the

Gauge on Company's new and existing railways, and laying down additional rails on County Down and Bangor Railways.

A. D. 1880. — County Down Railway and the Bangor Railway respectively ; and the last-mentioned additional rails shall be so laid and maintained as to allow of the passage of engines and carriages upon the gauge of three feet from and to the Company's existing railway on, to, over, and from the said parts of the County Down Railway and the Bangor Railway respectively. And the provisions of the Railways Clauses Act, 1863, relating to junctions shall apply as if the laying down of such additional rails upon the railways of the County Down and Bangor Companies were junctions with those railways ; provided that no further payment than is herein-after provided for shall be made to the County Down and Bangor Companies, or either of them, in respect of the lands to be used for such rails. And in respect of all traffic passing across or along the said parts of the Bangor Railway and of the County Down Railway, and conveyed by engines, carriages, or trucks upon the gauge of three feet, the Company shall pay to the Bangor Company and the County Down Company respectively such tolls and charges, if any, as, if not agreed upon between the Company and the Bangor Company or the County Down Company, as the case may be, shall be determined by arbitration in the manner prescribed by the Railway Companies Arbitration Act, 1859.

22 & 23 Vict.
c. 59.

Additional
rails on
County
Down and
Bangor Rail-
ways to be
laid under
superintend-
ence of en-
gineers of
the County
Down and
Bangor
Companies.

10. The additional rails to be laid down under the powers of this Act on the County Down Railway and the Bangor Railway respectively shall be laid down under the superintendence and to the reasonable satisfaction of the engineer-in-chief for the time being of the County Down Company or the Bangor Company, as the case may be, and according to plans and specifications previously submitted to and approved in writing by the principal engineers of those companies respectively ; provided that if such engineers, or either of them, shall not have expressed their or his approval or disapproval of the said plans and specifications within one month after the same shall have been submitted, they or he, as the case may be, shall be deemed to have approved thereof ; and in the event of any difference the same shall be settled by an engineer to be appointed by the Board of Trade on the application of either company, and the decision of such engineer shall be binding on all parties, and the costs of the reference shall be in his discretion.

Power to
lay sidings
to manufac-
tories, &c.

11. The Company may, with the consent of the Corporation in writing under their corporate seal, and for the purpose of affording additional or improved means of communication between the railways 6, 7, and 8 respectively by this Act authorised, or any of them, and any manufactories, mills, works, or other premises adjoining or near

the same, from time to time lay down, maintain, renew, and alter, and they may from time to time remove, any sidings or rails upon or over any streets or roads within the borough, or upon or over the footways of any such streets or roads, provided that the cost of executing such works be defrayed out of the Western Extensions Capital or the loan capital in respect thereof herein-after respectively authorised. A.D. 1880.
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12. With respect to such parts of railway No. 6, railway No. 7, and railway No. 8 respectively as will be laid along or across or on the level of any street within the borough of Belfast, and any sidings or rails to be laid down, maintained, renewed, or altered under the powers of the last preceding section of this Act, the following provisions shall have effect: Conditions of
constructing
railways in
streets of
Belfast.

- (1.) In and for the purposes of this section "rails" means and includes all rails and sidings which the Company may under the powers of this Act lay down, work over, or use upon, along, or over any road, street, or place within the borough; "street" means and includes any public road, street, or place upon, along, or over which any rails may for the time be laid:
- (2.) The Company shall, before opening or breaking up any street for the purpose of constructing, laying down, maintaining, or renewing the railways, or any of them, or any rails, lay before the Board of Trade and the Corporation a plan showing the proposed mode of constructing, laying down, maintaining, and renewing the railways or rails, and a statement of the materials intended to be used therein, and the Company shall not commence the constructing, laying down, maintenance, and renewal of any of the railways or rails or any part thereof respectively, except for the purpose of necessary repairs, until such plan and statement have been approved by the Board of Trade and the Corporation, and after such approval the works shall be executed in accordance in all respects with such plan and statement, and under the superintendence and to the reasonable satisfaction of the surveyor:
- (3.) The rails shall be so laid and maintained as that the uppermost edge thereof shall be upon a level with the surface of the street:
- (4.) Not more than one set of rails shall be laid in any street without the previous consent of the Corporation under their corporate seal:
- (5.) The rails shall be of such a kind as shall be approved by the surveyor and by the Board of Trade, and shall be laid down under the superintendence and to the reasonable satisfaction

A.D. 1880.

of the surveyor, and the space between the rails and for a distance of two feet outside each outer rail shall be paved with granite sets laid on a concrete or other approved foundation, and no alteration shall be made except under the like superintendence :

- (6.) The Board of Trade may from time to time, upon the application of the Corporation, require the Company to adopt and apply such improvements in the railways, sidings, and rails as experience may from time to time suggest, having regard to the greater security of the public and advantage to the ordinary traffic, and the Company shall, with all reasonable despatch, comply with any order made by the Board of Trade for the purpose of carrying into effect any such improvements :
- (7.) The Company shall at all times maintain and keep in good condition and repair, and so as not to be a danger or annoyance to the ordinary traffic on any road, the rails of the tramways and the substructure on which the same rest ; and if the Company at any time fail to comply with this provision, or with the provisions of section 28 of the Tramways Act, 1870, they shall be subject to a penalty not exceeding five pounds for every day on which such non-compliance continues, and such penalty shall be a penalty within the meaning of section 56 of the said Act :
- (8.) The rails and the substructure on which the same rest shall at all times during their continuance be maintained in good repair and condition to the reasonable satisfaction of the surveyor, and so as not to be a danger or annoyance to the ordinary traffic along the street :
- (9.) In case it is represented in writing to the Board of Trade by the Corporation, or by twenty inhabitant ratepayers of the district, that the Company have made default in complying with the provisions in this sub-section contained, the Board of Trade may, if they think fit, direct an inspection by an officer to be appointed by the said Board, and if such officer report that the default mentioned in such representation has been proved to his satisfaction, then and in every such case a copy of such report, certified by a secretary or an assistant secretary of the Board of Trade, may be adduced as evidence of such default and of the liability of the Company to a penalty or penalties in respect thereof as herein-after provided :
- (10.) During the continuance of the rails on any street the Company shall maintain and keep in repair to the reasonable satisfaction of the surveyor the portion of street to be paved

33 & 34 Vict.
c. 78.

as aforesaid, and if for a period of three months the Company shall discontinue the use of any such rails, the Company shall remove the same, and with all possible despatch remake, reinstate, and make good such street, and remove all rubbish occasioned thereby, and shall for the space of six calendar months after such reinstating and making good maintain and keep in good repair such street to the reasonable satisfaction of the surveyor : A.D. 1880.
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- (11.) The Company shall not, unless with the consent of the Corporation under their corporate seal, use any other than animal or manual power for moving any waggon or truck upon or along such street :
- (12.) The Company shall not use any of the said rails otherwise than subject to and in accordance with such regulations as the Corporation may from time to time prescribe in writing under their corporate seal :
- (13.) If the Company, their contractors or agents, or any officer or servant in the employ of them, or any or either of them, offend against any of the foregoing provisions or regulations, the Company shall be liable for every such offence to a penalty not exceeding twenty pounds for every day or part of a day during which such offence shall continue :
- (14.) Nothing in this Act contained shall interfere with the powers of the Corporation from time to time, as they think fit, to construct sewers and drains, gas mains or pipes, or to repair or inspect any sewer or drain, gas mains or pipes, or to make connexions and communications therewith :
- (15.) The Company shall be answerable for all accidents, damages, and injuries happening through their act or default, or through the act or default of any person in their employment, by reason or in consequence of any of their works or carriages, or the laying down, maintaining, working over, using, altering, or removing of any such rails, and shall indemnify and save harmless the Corporation and their officers and servants against all claims, demands, costs, charges, and expenses occasioned thereby.

13. Whereas certain mains, pipes, services, and other works belonging to and now in use by the Water Commissioners for the purposes of their water supply are laid in, under, or across certain of the roads, streets, or lands along, across, or over which the railway and works, or some part thereof, respectively by this Act authorised (herein-after called "the railway and works") are proposed to be made and maintained : And whereas it is expedient that

Protection
of Belfast
Water Com-
missioners.

A.D. 1880. — provision should be made for preventing any interruption of the supply of water by the Water Commissioners within their limits of supply, and for making good all damage to and interference with the mains, pipes, services, and other works belonging to the Water Commissioners which may in any case be caused by the carrying out of the railway and works connected therewith, and with respect to the laying additional mains, pipes, services, and other works under, over, and across the roads, streets, or lands over, along, or across which the railway and works are 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 to do in connexion with the railway and works, and which may in any way interfere with or render necessary the alteration of any of the mains, pipes, services, and other works of the Water Commissioners, shall be done and executed by and at the expense of the Company, but to the reasonable satisfaction of the engineer for the time being of the Water Commissioners ; such works, matters, or things shall not be commenced until after fourteen days notice thereof in writing shall have been given by the Company to the Water Commissioners, such notice to be accompanied by a plan and section showing the nature and extent of the works, matters, and things which the Company propose to carry out ; and if the Water Commissioners, by notice in writing to the Company within seven days after the receipt by them of the 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 railway and works during the progress and until the completion of the same by which any main, pipe, service, or work of the Water Commissioners shall be interfered with :
- (C.) If any interruption whatsoever in the supply of water by the Water Commissioners shall be in any way occasioned by the Company, or by the acts of any of their contractors, agents, workmen, or servants, or any person in the employ of them, or

any or either of them, the Company shall forfeit and pay, on demand, to the Water Commissioners, for the use and benefit of the Water Commissioners, the sum of twenty pounds for every day during which such interruption shall continue : A.D. 1880.

(D.) The expense of all repairs or renewals of any main, pipe, or service of the Water Commissioners, or any works in connexion therewith, which may at any time hereafter be rendered necessary by the acts or default of the Company, their contractors, agents, workmen, or servants, or any person in the employ of them, or any or either of them, shall be borne and paid by the Company, and may be recovered against them by the Water Commissioners :

(E.) If and when the Company under the powers of this Act acquire and appropriate any lands, streets, houses, and buildings which are served with water by the mains, pipes, services, and other works of the Water Commissioners laid down and maintained by them in such roads, streets, lands, or places, or where the Company shall stop up, divert, raise, or lower the level of any such road, street, highway, or place so that the mains, pipes, services, and other works of the Water Commissioners, or any part of them, may require relaying at a higher or lower level, or in a different position, then the Company shall, at their own expense, take up, alter, and relay all such mains, pipes, services, and other works of the Water Commissioners in a proper and efficient manner, and as may be directed by the Water Commissioners. In case such mains, pipes, services, and other works may not be further required for purposes of water supply, then the Company shall deliver the same to the Water Commissioners in as good a condition as such mains, pipes, services, and works were in before they were taken up or interfered with :

(F.) The Water Commissioners shall not be liable for any loss, damage, or injury which may happen to the railway and works connected therewith respectively, or to the rolling stock used or to the passengers conveyed upon the railway, by reason of any of the works executed under this Act or consequent on the execution thereof, or by reason of any accident which may at any time happen to the mains, pipes, services, or other works of the Water Commissioners at, under, or near the railway and works, nor for any loss or damage to the Company arising from the stoppage or loss of traffic on the railway and works during the repair of the said mains, pipes, services, or other works which may be necessary in consequence of such accident,

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unless such loss, damage, or injury shall have been occasioned by the default or neglect of the Water Commissioners, or of their agents, officers, workmen, or servants :

(G.) All bridges constructed by the Company over the railway and works shall be not less than two feet in depth of covering so as to admit of the Water Commissioners laying their mains and pipes across such bridges, and failing such depth of covering at the points at which the mains and pipes are laid across such bridges, the Water Commissioners may make such provisions for carrying their mains and pipes across such bridges as their engineer may consider necessary, and all the costs and expenses of the same shall be borne by the Company, and may be recovered from them by the Water Commissioners :

(H.) Nothing in this Act shall prevent the Water Commissioners from laying at their own expense, from time to time, as they may think fit, additional mains or pipes, with all scour pipes, and air and other valves for supplying water, or from repairing or from time to time inspecting any mains, pipes, services, or other works at, under, over, across, or near the railway and works ; and the Water Commissioners shall not be liable for any damage to the railway and works, or for any stoppage of the railway and works or loss of traffic thereon, that may be caused by the laying, repairing, or inspecting of any mains, pipes, services, or other works at, under, over, across, or near the railway and works : 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 railway and works, and according to the reasonable directions and under the superintendence of the engineer for the time being of the Company :

(I.) If the Company during the progress of the railway and works, by themselves, their contractors, officers, or servants, do any act which may cause interruption to the supply of water by the Water Commissioners, or which may, in the opinion of the latter, lead to or render probable such interruption, or which may lead to or render probable any damage to or interference with the mains, pipes, services, and other works of the Water Commissioners, and if the Company fail or neglect to give notice to the Water Commissioners as herein-before provided by sub-section (A.), then and in such event the Water Commissioners shall call the Company's attention to such default by a written notice, and if the Company fail or neglect to attend to such notice, and to take the necessary

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steps for the protection of the Water Commissioners mains, pipes, services, and other works, then the Water Commissioners may, after seven days from delivery of such notice, proceed to carry out and execute such works as may in their opinion be requisite, and to alter, relay, and renew such of their mains, pipes, services, and other works, and take such precautionary measures as may be rendered necessary by the acts and defaults of the Company, and all the costs and expenses of the same shall be borne by the Company, and may be recovered from them by the Water Commissioners :

(J.) If any difference shall arise between the Company or their engineer and the Water Commissioners or their engineer, or with respect to the amount of any costs, expenses, or charges, under the provisions of this Act or any Act incorporated herewith, to be paid by the Company to the Water Commissioners, or with respect to any work, matter, or thing with reference to the mains, pipes, services, or other works of the Water Commissioner 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 :

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

14. The Company shall not take or use any portion of the Belfast and Cavehill Railway or Tramway, nor interfere with it or the traffic thereof in any manner, and shall not in any way interfere with or use the undertaking or traffic of the Belfast and Cavehill Railway Company without the consent in writing of that company under their common seal.

Company not to interfere with Belfast and Cavehill Railway.

15. 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 for stations, or for the other purposes of their undertaking, all or any of the lands in the parish of Shankill, otherwise Belfast, in the county of Antrim, delineated upon the deposited plans relating thereto, and described in the deposited books of reference.

Company may acquire additional lands for stations and other purposes.

16. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act, 1845, shall not exceed three acres.

Lands for extraordinary purposes.

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Period for
compulsory
purchase of
lands.

Power to
cross certain
roads on the
level.

17. 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.

18. Subject to the provisions in the Railways Clauses Consolidation Act, 1845, and in Part I. (relating to the construction of a railway) of the Railways Clauses Act, 1863, contained in reference to the crossing of roads on the level, the Company may in the construction of the works by this Act authorised carry the same with a single line only, whilst the railway constituting the respective work shall consist of a single line, and afterwards with a double line only, across or along (as the case may be) and on the level of the roads next herein-after mentioned; (that is to say,)

Work.	No. on deposited Plan.	Parish.	Townland.	Description of Roadway.
Railway No. 6 -	10	Shankill -	Town Parks -	} Street.
Railway No. 7 {	95	Shankill -	Edenderry -	
	96	Shankill -	Edenderry -	
	97	Shankill -	Edenderry -	
	98	Shankill -	Edenderry -	
Railway No. 8 {	70	Shankill -	Town Parks -	
	72	Shankill -	Town Parks -	
	103	Shankill -	Edenderry -	
	104	Shankill -	Edenderry -	

Height of
bridges.

19. The Company may make the arches of the bridges for carrying the railway over the roads next herein-after mentioned of any heights not less than the heights herein-after mentioned in connexion therewith respectively; (that is to say,)

Work.	No. on deposited Plan.	Parish.	Townland.	Description of Roadway.	Height.
Railway No. 3 -	9	Shankill -	Town Parks	Street -	11 feet 9 inches.
Widening -	9	Shankill -	Town Parks	Street -	11 feet 9 inches.
Railway No. 4 -	8	Shankill -	Edenderry -	Street -	15 feet.
Railway No. 4 -	55	Shankill -	Town Parks	Street -	15 feet.
Railway No. 4 -	33	Shankill -	Edenderry -	Street -	15 feet.

Notice to be
given of
taking
houses of
labouring
classes.

20. 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 the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention. A.D. 1880.

21. The Company may from time to time, if and when they think fit, appropriate any lands acquired by them under the powers of this Act, and which may not be required for the railway and works, for the purpose of the erection of dwelling-houses or buildings for persons belonging to the labouring classes whose dwellings may be required for the works by this Act authorised, and before displacing any person or persons belonging to the labouring classes who may for the time being be the occupier or occupiers of any house, or part of any house, which the Company are by this Act authorised to acquire, the Company shall procure sufficient accommodation elsewhere for such person or persons, unless the Company and such person or persons otherwise agree: Provided always, that if any question shall arise as to the sufficiency of such accommodation, the same shall be determined by a justice.

Power for Company to appropriate lands for the erection of dwelling-houses for the labouring classes.

22. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of Her present Majesty, chapter 20, the sum of five thousand three hundred and eighteen pounds and five shillings, being five per centum upon the amount of the estimate in respect of the railways by this Act authorised, has been deposited with the Chancery Division of the High Court of Justice in Ireland in respect of the application to Parliament for this Act, which sum is referred to in this Act as the deposit fund: Be it enacted, that, notwithstanding anything contained in the said Act, the said deposit fund 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 (which persons, survivors, or survivor are or is in this Act referred to as the depositors), unless the Company shall, previously to the expiration of the period limited by this Act for completion of the railways, open the same for the public conveyance of passengers: Provided that if within such period as aforesaid the Company open any portion of the railways for the public conveyance of passengers, then, on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid, and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railway so opened bears to the entire length of the railways, the

Deposit money not to be repaid except so far as railway is opened.

A.D. 1880. Chancery Division shall, on the application of the depositors or the majority of them, order the portion of the deposit fund specified in the certificate to be paid or transferred to them, or as they shall direct; and the certificate of the Board of Trade shall be sufficient evidence of the facts therein 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.

Application
of deposit.

23. If the Company do not, previously to the expiration of the period limited for the completion of the railways, complete the same, and open them for public conveyance of passengers, then and in every such case the deposit fund, or so much thereof as shall not have been paid to the depositors, shall be applicable, and after due notice in the "Dublin Gazette" shall be applied, towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railways or any portion thereof, or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, for which injury or loss no compensation or inadequate compensation has been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in Ireland may seem fit; and if no such compensation is payable, or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation, then the deposit fund, 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 Chancery Division 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 Chancery Division, 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 deposit fund has been repaid 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 depositors.

24. If the railways by this Act authorised are 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 completing the railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

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Period for completion of works.

25. For the purposes of tolls, rates, and charges, and for all other purposes (save as hereafter particularly provided), the widening by this Act authorised of the Company's existing railways, and the railways No. 1, No. 2, and No. 3 by this Act authorised, shall be deemed to be part of the Company's authorised railway, and the Company may demand and take upon and in respect thereof or any part thereof respectively the tolls, rates, and charges authorised by the Act of 1872 to be taken.

Tolls on widening and railways numbered 1, 2, and 3.

26. With respect to railways No. 4, No. 5, No. 6, No. 7, and No. 8, the following provisions shall apply; viz.,

Provisions as to tolls.

(A.) The Company may demand and take in respect of the use thereof any tolls not exceeding the following; (that is to say,)

In respect of passengers and animals conveyed upon the railway, or any part thereof, as follows:

For every person, twopence per mile; and if conveyed in or upon a carriage belonging to the Company, an additional sum of one penny per mile:

Class 1. For every horse, mule, or other beast of draught or burden, fourpence per mile; and if conveyed in or upon a carriage belonging to the Company, an additional sum of one penny per mile:

Class 2. For every ox, cow, bull, or head of neat cattle, threepence per head per mile; and if conveyed in or upon a carriage belonging to the Company, an additional sum of one penny per mile:

Class 3. For every calf or pig, twopence, and for every sheep, lamb, or other small animal, one penny half-penny per mile; and if conveyed in or upon a carriage belonging to the Company, an additional sum of one penny per mile.

In respect of goods and other articles conveyed on the railway, or any part thereof:

Class 4. For all bricks, tiles, slates, all undressed materials for the repair of public roads or highways, coal, coke, culm, cannel, ironstone, iron ore, and for wrought iron not otherwise specifically classed herein,

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and for heavy iron castings, including railway chairs, per ton per mile one penny halfpenny; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one halfpenny:

Class 5. For all pig iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, wrought iron, charcoal, chalk, lime, salt, sand, fire-clay, cinders, per ton per mile twopence; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one halfpenny:

Class 6. For all lime, limestone, sand, oreweed, dung, compost, manure, building stone, freestone, granite, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton per mile threepence; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one penny:

Class 7. For grain, corn, flour, meal, potatoes, hay, straw, seeds, cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things of whatever character not herein-before specifically classed, per ton per mile fourpence; and if conveyed in a carriage belonging to the Company, an additional sum per ton per mile of one penny:

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) conveyed on a truck or platform belonging to the Company, sixpence per mile, and a like sum of one penny halfpenny per mile for every additional quarter of a ton or fractional part of a quarter of a ton which any such carriage may weigh.

(B.) The toll which the Company may demand for the use of engines for propelling carriages shall not exceed one penny per mile for each passenger or animal, or for each ton of goods, in addition to the several other tolls or sums by this Act authorised to be taken.

(c.) The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act in respect

of traffic conveyed on the railway, and not conveyed over any part of the existing railways of the Company (which for this purpose shall be deemed to include the widening thereof by this Act authorised, and the railways No. 1, No. 2, and No. 3 by this Act also authorised); (that is to say,) A.D. 1880.

For all passengers, animals, or goods conveyed on the railway for a less distance than four miles, the Company may demand tolls and charges as for four miles:

For a fraction of a mile beyond four miles or beyond any greater number of miles, the Company may demand tolls and charges on animals and goods for such fraction in proportion to the number of quarters of a mile contained therein, and if there be a fraction of a quarter of a mile such fraction shall be deemed a quarter of a mile; and in respect of passengers, every fraction of a mile beyond an integral number of miles shall be deemed a mile:

For a fraction of a ton the Company may demand tolls 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 weight, and so in proportion for any smaller quantity.

(D.) With respect to small parcels not exceeding five hundred pounds in weight, and single articles of great weight, notwithstanding the rates prescribed by this Act, the Company may demand and take any tolls not exceeding the following; (that is to say,)

For the carriage of small parcels on the railway, or any part thereof, as follows:

For any parcel not exceeding seven pounds in weight, threepence;

For any parcel exceeding seven pounds but not exceeding fourteen pounds in weight, fivepence;

For any parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight, sevenpence;

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight, ninepence;

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And for any parcel exceeding fifty-six pounds but not exceeding one hundred and twelve pounds in weight, one shilling and fourpence :

For any parcel exceeding one hundred and twelve pounds but not exceeding two hundred and fifty pounds in weight, one shilling and eightpence :

For any parcel exceeding two hundred and fifty pounds but not exceeding five hundred pounds in weight, the Company may demand any sum which they think fit :

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages : Provided always, that in respect of small parcels conveyed partly on the railways No. 4, No. 5, No. 6, No. 7, and No. 8, or any or either of them, and partly on the existing railways as aforesaid of the Company, such railways shall be considered as one railway, and the rates and charges for small parcels by the recited Acts and this Act authorised shall be taken once only ; and such rates and charges shall be apportioned between and belong to the Western Extensions and the general undertaking of the Company in such proportions as shall be determined by the Company at a meeting specially called for the purpose, with notice of the object of the meeting, before the issue of any part of the Western Extensions Capital.

For the carriage of single articles of great weight, as follows :

For any 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 such sum as they think fit, not exceeding sixpence per ton :

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

(E.) The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway, including

the tolls for the use of the railway, and for carriages and locomotive power, and every other expense incidental to such conveyance, shall not exceed the following; (that is to say,)

For every passenger conveyed in a first-class carriage, the sum of threepence per mile:

For every passenger conveyed in a second-class carriage, the sum of twopence per mile:

For every passenger conveyed in a third-class carriage, the sum of one penny halfpenny per mile.

(F.) The maximum rate of charge to be made by the Company for the conveyance of animals and goods on the railway, including the tolls for the use of the railway, and for waggons or trucks and locomotive power, and for every other expense incidental to the conveyance (except a reasonable charge for loading and unloading goods at any terminal station in respect of such goods, and for delivery and collection, and any other service incidental to the business or duty of a carrier, where any such service is performed by the Company), shall not exceed the following sums; (that is to say,)

For every animal in Class 1, fourpence per mile;

For every animal in Class 2, threepence per mile;

For every animal in Class 3, one penny halfpenny per mile;

For everything in Class 4, one penny halfpenny per ton per mile;

For everything in Class 5, twopence per ton per mile;

For everything in Class 6, threepence per ton per mile;

For everything in Class 7, fourpence per ton per mile;

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 on a truck or platform, per mile sixpence, and for every quarter of a ton beyond one ton, one halfpenny.

(G.) Every passenger travelling upon the railways may take with him his ordinary luggage, not exceeding one hundred and twenty pounds in weight for first-class passengers, one hundred pounds in weight for second-class passengers, and sixty pounds in weight for third-class passengers, without any charge being made for the carriage thereof.

(H.) No station shall be considered a terminal station in regard to any goods conveyed, unless such goods have been received thereat direct from the consignor or are directed to be delivered thereat to the consignee.

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(I.) The restrictions as to the charges to be made for passengers, articles, and things shall not extend to any special train, in respect of which the Company may make such charges as they think fit, but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers, animals, and goods upon the railway.

(J.) Nothing in this Act shall prevent the Company from taking any increased charges, over and above the charges by this Act limited, for the conveyance of animals or goods of any description by agreement with the owners or persons in charge thereof, either by reason of any special service performed by the Company in relation thereto, or in respect of the conveyance of animals or goods (other than small parcels) by passenger trains.

Authori-
sation of
agreements
between
Company
and Belfast
Harbour
Commis-
sioners and
between
them and the
Corporation
of Belfast.

27. The Company and the Harbour Commissioners may from time to time enter into and carry into effect agreements for the laying of additional rails upon the railways or tramways of the Commissioners at the joint expense of the Company and the Commissioners, or at the sole expense of one of them, or for the apportionment of the expense between them, and as to the terms and conditions (pecuniary or otherwise) upon which the railways or tramways of the Commissioners, or any of them or any part or parts thereof, or any additional lines to be laid down thereon as aforesaid, shall or may be used by the Company, and the Company and the Harbour Commissioners or either of them on the one hand and the Corporation on the other hand may from time to time enter into and carry into effect agreements as to the terms and conditions upon which any additional rails as aforesaid upon the railways or tramways of the Commissioners, the laying down of which may affect streets within the borough or the property of the Corporation, shall be laid down by the Company and the Commissioners or either of them.

Railways 4,
5, 6, 7, and 8
constituted
a separate
undertaking.

28. The railways No. 4, No. 5, No. 6, No. 7, and No. 8 are by this Act constituted a separate undertaking of the Company, to be called and herein-after in this Act referred to as "the Western Extensions."

Power to
apply funds.

29. The Company may for the purposes of this Act other than the Western Extensions apply any moneys which by virtue of any former Act they are now authorised to raise, and which may not be required for the special purposes (if any) to which the same are

made applicable by the Act by which the same are authorised to be raised. A.D. 1880.

30. The Company may from time to time raise capital (in addition to any capital which by any previous Act or Acts they are now authorised to raise) not exceeding for the purposes of the Western Extensions seventy-five thousand pounds (which capital is herein-after referred to as "Western Extensions Capital"), and not exceeding for the other purposes of this Act one hundred thousand pounds (which last-mentioned capital is herein-after referred to as "Station and Improvement Capital"), by the creation and issue of shares or stock or partly by shares and partly by stock in the respective capital.

Power to raise additional capital.

31. The Company shall not issue any share created under this Act of less nominal value than ten pounds, nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth of the amount of the share be paid in respect thereof.

Shares not to be issued until one fifth paid.

32. One fourth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Calls.

33. The provisions of sections 11 to 18 (both numbers inclusive) of the Act of 1868, authorising the Company to divide any shares of their capital into preferred and deferred half shares, shall apply to any shares which the Company may create under the authority of this Act, whether in the Western Extensions Capital or in the Station and Improvement Capital.

Application of sections 11 to 18 of 31 & 32 Vict. c. clxvi. to shares in new capital.

34. If any money is payable to a shareholder being an infant or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt for persons not sui juris.

35. The Company shall before creating any part of the Western Extensions Capital resolve and determine, at a general meeting specially called for the purpose with notice of the object of the meeting—

Proportion of general expenses to be charged to separate undertaking.

(A.) What proportion of the general charges of the Company or what annual or other sum in lieu thereof shall be paid and borne out of the revenue of the Western Extensions, and the same shall thenceforth be paid accordingly out of such revenue; and

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(B.) In what proportions the gross receipts from traffic of each description carried partly over the Western Extensions or any part thereof, and partly over the other railways for the time being of the Company, or any of them or any part or parts thereof respectively (which last-mentioned traffic is hereinafter referred to as "through traffic"), shall be apportioned between and be assigned and belong to the general undertaking of the Company and the Western Extensions respectively.

Expenses of working, &c. Western Extensions to be borne by and one half of gross receipts thereon to belong to general income of Company.

36. Subject to the provisions of the last preceding section and of the following sections of this Act, the expenses of maintaining and working the Western Extensions shall be borne and paid by the Company out of the income of their general undertaking, and such expenses shall be deemed to be working expenses within the meaning of sub-section 1 of section 29 of the Act of 1872, and of the gross receipts from traffic of all kinds carried over the Western Extensions (including their proportion of the receipts from through traffic determined and provided by the last preceding section) one half shall belong to and be deemed to be part of the income of the general undertaking of the Company under the said section 29 of the Act of 1872.

Separate accounts to be kept.

37. The Company shall keep separate accounts of all receipts and payments from, for, or on account of the Western Extensions on capital account, and also such other accounts as may be necessary for the purposes of this Act.

Western Extensions Fund to be formed.

38. There shall be formed a fund to be called the Western Extensions Fund, and there shall be paid in cash to that fund in each half year—

(A.) One half of the gross receipts from traffic of all kinds carried over the Western Extensions (including the proportion of the receipts from through traffic to which the Western Extensions shall be entitled as aforesaid), and the whole of the rents and other income arising from the Western Extensions; and

(B.) Three fourths of the proportion of gross receipts from through traffic to which the Company's general undertaking shall be entitled as aforesaid.

Application of fund.

39. The Western Extensions Fund shall be applicable half yearly, and shall accordingly be applied to the following purposes in the order in which they are stated; (that is to say,)

(A.) In payment of the proportion of the general expenses of the Company, or the annual or other sum in lieu thereof,

which by resolution of the Company as aforesaid shall have been made payable out of the revenue of the Western Extensions : A.D. 1880.

(B.) In payment of any rentcharges for land on the Western Extensions :

(C.) In payment of the interest on all mortgages or debenture stock for the time being charged upon or issued in respect of the Western Extensions :

(D.) In payment of dividends on the Western Extensions Capital, or upon so much thereof as may be from time to time paid up, at such rate not exceeding five per centum per annum as shall be attached thereto by the Company before the issue of any part of such capital.

And any surplus of the Western Extensions Fund in any half year shall belong to and be deemed to be part of the income of the general undertaking of the Company.

40. The Western Extensions Fund Account shall be made up and balanced half-yearly to the thirtieth day of June and the thirty-first day of December in each year. Half-yearly balance.

41. The certificates of any shares or stock in the Western Extensions Capital shall be indorsed with notice of the provisions of this Act with respect to that capital. Certificates to be indorsed.

42. The Company may in respect of the Western Extension Capital from time to time borrow on mortgage of their separate undertaking under this Act any sum not exceeding in the whole twenty-five thousand pounds, but no part of that sum shall be borrowed until shares for so much of the Western Extensions Capital as is to be raised by means of shares are issued and accepted, and one half of such portion of capital is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845 (before he so certifies), that shares for the whole of such portion of capital have been issued and accepted, and that one half of such portion of capital has been paid up, and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the Western Extensions Capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid (before he so certifies) that such shares or stock, as the case may be, were issued and accepted and paid up bonâ fide, and are held by the persons or corporations to whom the said were

A.D. 1880. issued, or their executors, administrators, successors, or assigns, and also if any part of the Western Extensions Capital is raised by shares that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

Western
Extensions
debentures to
be charged
exclusively.

43. All mortgages or debenture stock to be granted or issued in respect of the Western Extensions Capital under the powers of this Act shall be a charge exclusively upon the Western Extensions, and no other mortgages or debenture stock to be hereafter granted or issued under this or any former Act relating to the Company shall be a charge upon the Western Extensions.

Appoint-
ment of a
receiver.

44. The mortgagees of the Company under this Act may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver of the tolls, income, and revenue included in their mortgages. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than two thousand five hundred pounds.

Debenture
stock.

45. The Company may in respect of their Western Extensions create and issue debenture stock, to be called "Western Extensions Debenture Stock," subject to the provisions (so far as may be applicable) of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of such debenture stock shall rank *pari passu* with the interest of all mortgages granted by the Company and charged upon the Western Extensions, and shall have priority over all principal moneys secured by such mortgages.

Application
of moneys.

46. The Western Extensions Capital, and all moneys to be borrowed and debenture stock to be created in respect thereof, shall be applied for purposes only of or connected with the Western Extensions.

Definition of
purposes to
which station
and improve-
ment capital
shall be
applied.

47. The Station and Improvement Capital to be created under this Act shall be applied exclusively to the following purposes or some of them; (that is to say,) the purchase of land for and the execution of the works by this Act authorised other than the Western Extensions, the laying down of additional rails upon the Company's existing railways and on the County Down Railway and the Bangor Railway, and (if so agreed with the Commis-

sioners) upon the railways or tramways of the Commissioners, the purchase under the powers of this Act of lands in the parish of Shankill, otherwise Belfast, aforesaid, for stations or other purposes, the erection on such lands of any station or stations, works, buildings, or conveniences, or the extension or improvement thereon of any existing station, works, buildings, or conveniences of the Company, and the purchase or providing of engines, carriages, waggon, and other rolling stock on the gauge of three feet.

A.D. 1880.
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48. The Station and Improvement Capital shall be entitled to such fixed dividend or interest not exceeding five pounds per centum per annum as shall be attached thereto by the Company before the creation of any part of that capital, with the consent of three fourths of the votes of the proprietors of the Company's general capital present in person or by proxy at a meeting specially convened for the purpose with notice of the object of the meeting, and such dividend or interest shall from time to time be paid by the Company out of the income of their general undertaking, and the payment thereof shall be deemed to be working expenses within the meaning of sub-section 1 of section 29 of the Act of 1872.

Dividend on capital.

49. Shares and stock in the Western Extensions Capital or in the Station and Improvement Capital shall not confer on the holders thereof any right of voting or interference at any meeting of the Company on the general affairs of the Company, except for the election of directors and in any matters affecting the said shareholders and stockholders respectively, for both which purposes those shareholders and stockholders shall have the same right of voting as the shareholders and stockholders in the general capital of the Company; nor, on the other hand, shall it be lawful for the holders of shares or stock in the general capital of the Company to interfere in the expenditure of Western Extensions Capital or (as the case may be) Station and Improvement Capital, or in any other matters affecting the respective capital or its revenue, excepting in so far as those matters immediately affect the general interests of the Company.

Rights of voting in respect of shares in separate capital.

50. After the opening for public traffic of the Western Extensions the Company shall work the same and convey traffic thereon in a proper manner, and so as fairly to accommodate and develop the traffic of the district to be served thereby. In case any difference shall arise between the Company and any of the holders of stock or shares to the nominal amount of ten thousand pounds

Western Extensions to be worked in an efficient manner.

A.D. 1880. in Western Extensions Capital with respect to the working or non-working or insufficient working of such undertaking by the Company or otherwise in relation thereto, whereby the holders of such shares or stock deem themselves to be injuriously affected, such difference shall be settled by an arbitrator to be appointed by the Board of Trade on the application of either party, and such arbitrator shall have full power to settle and determine any such difference and to order the Company to do or to abstain from doing all such acts, matters, and things as he shall think fit, and to make such order with respect to the costs of such arbitration as he shall think just.

Abandonment of part of Company's existing railway.

51. From and after the completion and opening for public traffic of Railway No. 1 by this Act authorised, the Company shall abandon and discontinue so much of their existing railway as lies between the commencement of the said railway No. 1 and the Company's Queen's Bridge Station.

Running powers.

52. Subject to the provisions and on the terms contained in the Act of 1865, as to the use by the Bangor Company and the County Down Company of so much of the Company's railway as should lie between the respective points of junction of railway No. 1 by that Act authorised and the Central Station thereby authorised, the Bangor Company and the County Down Company may run over and use with their engines, carriages, and waggons, officers, and servants, and for all purposes of traffic, all the railways of the Company, whether existing or to be authorised by this Act, except those railways which are to be constructed on a gauge of three feet, but including all stations, junctions, sidings, platforms, booking and other offices, warehouses, watering-places and supplies of water, approaches, turntables, telegraphs, signals, works, and conveniences connected therewith.

Saving rights of Public Works Loan Commissioners.

53. Nothing herein contained shall prejudice or affect any rights, remedies, or powers of the Public Works Loan Commissioners 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 rights of the Crown in the fore-shore.

54. Nothing contained in this Act shall authorise the Company to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or of any river, channel, creek, bay, or

estuary, or any right in respect thereof, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Board of Trade, without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give); neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors. A.D. 1880.

55. 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. Saving existing rights.

56. 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. Interest not to be paid on calls paid up.

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

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

59. All costs, charges, and expenses of and incidental to the preparing for, obtaining, and passing of this Act, or otherwise in Expenses of Act.

A.D. 1880. — relation thereto, shall be paid by the Company out of Western Extensions Capital and Station and Improvement Capital in such proportion, or out of one only of those capitals, as may be determined by the Company before the creation of any part of either of the said capitals.

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