



**CHAPTER cxcviii.**

An Act for incorporating the Glenariff Railway and Pier Company ; and for other purposes. [26th August 1880.] A.D. 1880.

**W**HEREAS the making and maintaining of the railway by this Act authorised would be of public and local advantage :

And whereas the several persons herein-after named, with others, are willing, at their own expense, to carry the undertaking into execution on being incorporated into a company (in this Act referred to as "the Company") for the purpose :

And whereas it is expedient that the Company should be authorised to make and carry into effect agreements with the Glenariff Iron Ore and Harbour Company, Limited (in this Act called "the Limited Company"), and any other company or person interested in the private railway and pier herein-after respectively mentioned and described, with respect to the purchase of that railway and pier by the Company :

And whereas it is expedient that such other powers and provisions as are herein-after contained should be conferred and made :

And whereas plans and sections showing the line and levels of the proposed railway, and the lands by this Act authorised to be acquired for the purposes thereof, and a book of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of those lands, were duly deposited with the clerk of the peace for the county of Antrim, and those plans, sections, and that book of reference are in this Act referred to as the deposited plans, sections, and book of reference :

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 :

[Ch. cxcviii.] *Glenariff Railway and Pier Act, 1880.* [43 & 44 VICT.]

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Short title.  
Incorporation of  
general Acts.  
8 & 9 Vict. c. 16.  
26 & 27 Vict. c. 118.  
32 & 33 Vict. c. 48.  
8 & 9 Vict. c. 18.  
23 & 24 Vict. c. 106.  
14 & 15 Vict. c. 70.  
23 & 24 Vict. c. 97.  
27 & 28 Vict. c. 71.  
31 & 32 Vict. c. 70.  
8 & 9 Vict. c. 20.  
26 & 27 Vict. c. 92.  
10 & 11 Vict. c. 27.

1. This Act may be cited as the Glenariff Railway and Pier Act, 1880.

2. The Companies Clauses Consolidation Act, 1845, and Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of the Companies Clauses Act, 1863, as amended by the Companies Clauses Act, 1869, the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, (as amended by the Railways Act (Ireland), 1851, the Railways Act (Ireland), 1860, the Railways Act (Ireland), 1864, and the Railways Traverse Act,) the Railways Clauses Consolidation Act, 1845, and (so far as applicable) Part I. of the Railways Clauses Act, 1863, (relating to construction of a railway,) and the Harbours, Docks, and Piers Clauses Act, 1847, with the exception, unless the Board of Trade shall otherwise require, of sections 16, 17, 18, and 19, are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction: the expression "the Company" means the Company incorporated by this Act; the expressions "the railway" and "the undertaking" mean respectively the railway and the undertaking by this Act authorised.

Deposit of plans with clerks of unions.

4. 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 unions," as the case may be, had been used and inserted in such sections instead of the expression "the postmasters of the post towns in or nearest such parishes in Ireland," or instead of the word "postmasters," as the case may be.

Incorporation of Company.

5. Anthony Traill, Thomas Sterling Begbie, and James Van Homrigh Irwin, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a Company for the purpose of making and maintaining the railway, and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of "The Glenariff Railway and Pier Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

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

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 —  
 Power to make railway.

A railway, two miles six furlongs and six chains or thereabouts in length, commencing in the townland of Parkmore and parish of Layd by a junction with the Ballymena, Cushendall, and Redbay Railway near to where it crosses the Agan Burn stream, and terminating in the townland of Clogheor, in the parish of Ardclinis, by a junction with the private railway of the Glenariff Iron Ore and Harbour Company, Limited, on the bank of the Inver River.

**7.** Notwithstanding anything contained in an Act passed in the ninth and tenth years of Her present Majesty, chapter fifty-seven, intituled "An Act for regulating the gauge of railways," the Company may, subject to the provisions of this Act, make and maintain the railway on the gauge of three feet.

Gauge of railway.

**8.** The Company in constructing the railway may deviate from the centre line of the works shown on the deposited plans to the extent of the limits of deviation marked on such plans respectively.

Power to deviate.

**9.** Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant to the Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements, rights, and privileges as aforesaid respectively.

Power to take easements, &c. by agreement.

**10.** Subject to the provisions herein-after contained, it shall be lawful for any limited owner of any lands required by the Company for the purposes of their undertaking to agree with the Company that the consideration to be paid for the same, and the compensation (if any) to be paid for any permanent damage or injury to any such lands, shall be wholly or in part the allotment to such limited

Power to pay compensation for land in shares.

A.D. 1880. — owner of such number of shares in the capital of the Company as shall be agreed upon between such owner and the Company :

- (1.) For the purposes of this section the expression "limited owner" includes any person or persons empowered under the seventh section of the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands, or any estate or interest therein, to the promoters of the undertaking :
- (2.) All shares issued pursuant to this section shall be deemed to be fully paid-up shares in the capital of the Company, and the names of the holders thereof shall be inserted as such in the register of shareholders :
- (3.) All shares issued pursuant to this section to any limited owner shall be held upon the like uses and trusts, and for the same purposes, and in the same manner, as the lands in consideration for which such shares are issued stood settled immediately before the conveyance of such lands to the Company :
- (4.) The Company shall make an entry in their register of shareholders of the uses, trusts, and purposes aforesaid, and, subject to the uses, trusts, and purposes affecting such shares, such limited owner in respect thereof shall have all the other rights and powers of a shareholder of the Company :
- (5.) The Company shall not be bound to see to the application of any dividend payable to a limited owner, or be in any way responsible with respect to the application thereof :
- (6.) No such payment by shares shall be made to any limited owner until a certificate in writing approving thereof shall have been made and signed by some person appointed for that purpose by the Commissioners of Public Works in Ireland, who are hereby authorised, on the application of any such limited owner, to make such appointment ; and the costs of and incidental to such appointment and certificate shall be paid by the Company as the said Commissioners shall direct ; and for the purposes of the ninth section of the Lands Clauses Consolidation Act, 1845, such certificate shall render unnecessary the valuation of the two surveyors referred to in that section.

Width of  
a certain  
roadway.

11. The Company may make the roadway over the bridge by which the following road will be carried over the railway of such width between the fences thereof as the Company think fit, not being less than the width herein-after mentioned in connexion therewith ; (that is to say,)

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Number on deposited Plan.	Townland.	Parish.	Description of Roadway.	Width of Roadway.
4	Parkmore or Aganlane.	Layd	Public - -	22 feet.

12. The capital of the Company shall be seventy thousand pounds in seven thousand shares of ten pounds each. Capital.

13. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person or corporation accepting the same, unless and until a sum not being less than one third of the amount of such share is paid in respect thereof. Shares not to be issued until one third paid.

14. One third of the amount of a share shall be the greatest amount of a call, and four months at least shall be the interval between successive calls. Calls.

15. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company. Receipt clause in case of persons not sui juris.

16. The Company may from time to time borrow on mortgage any sum not exceeding in the whole twenty thousand pounds; that is to say, when and so soon as the sum of five thousand pounds, part of the share capital of seventy thousand pounds, shall have been issued, accepted, and paid up, the Company may borrow on mortgage any sum not exceeding five thousand pounds, and when and so soon as the further and additional sum of forty-five thousand pounds, part of that capital, shall in like manner have been issued, accepted, and paid up, the Company may borrow a further sum of fifteen thousand pounds; but no part of the said several sums hereby authorised to be borrowed shall be borrowed until 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 the whole of that portion of the capital in respect of which the borrowing power is proposed to be exercised has been issued, accepted, and paid up; 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. Power to borrow on mortgage.

17. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on Appointment of a receiver.

A.D. 1880. — their mortgages by the appointment of a receiver. 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 one thousand pounds in the whole.

Debenture stock.

**18.** The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

**19.** All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied to the purposes of this Act only.

First ordinary meeting.

**20.** The first ordinary meeting of the Company shall be held within three months after the passing of this Act.

Quorum of meetings of Company.

**21.** The quorum of meetings of the Company shall be seven shareholders present in person or by proxy, holding in the aggregate not less than four thousand pounds in the capital of the Company.

Number of directors.

**22.** The number of directors shall be five, but the Company may from time to time reduce that number, provided that it be not less than three.

Qualification of directors.

**23.** The qualification of a director shall be the possession in his own right of not less than thirty shares.

Quorum.

**24.** The quorum of a meeting of directors shall be three so long as their number is either five or four, and two when it is three.

First directors.

**25.** Anthony Traill, William McCandlish, Thomas Sterling Begbie, James Van Homrigh Irwin, and one other duly qualified person to be nominated by them or the majority of them, and consenting to such nomination, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act, or nominated as aforesaid, being, if qualified, re-eligible; and at the first ordinary meeting to be held in every year after the first ordinary meeting, the shareholders present

Election of directors.

in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act, 1845, and the several persons elected at any such meeting, being neither removed nor disqualified, nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act. A.D. 1880.

**26.** 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 one acre. Lands for extraordinary purposes.

**27.** The powers of the Company for the compulsory purchase of land for the purposes of the railway shall not be exercised after the expiration of three years from the passing of this Act. Period for compulsory purchase of land.

**28.** 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, a sum of seven hundred and sixteen pounds five shillings and eightpence new three per cent. stock, being equal to five per centum upon the amount of the estimate in respect of the railway, has been transferred to the Chancery Division of the High Court of Justice in Ireland in respect of the application to Parliament for this Act, which sum, and the stocks, funds, or securities in or upon which the same may be invested, are referred to in this Act as the "deposit fund": Be it enacted, that, notwithstanding anything contained in the said Act, the 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 the completion of the railway, open the same for public traffic: Provided that if within such period as aforesaid the Company open any portion of the railway for public traffic, then, on the production of a certificate of the Board of Trade specifying the length of the railway or portion of 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 railway so opened bears to the entire length of the railway, the said Chancery Division shall, on the application of the depositors, or the majority of them, order the portion of the deposit

A.D. 1880. 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.

**29.** If the Company do not, previously to the expiration of the period limited for the completion of the railway, complete the same and open it for public traffic, 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 railway, 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, and 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.

Period for completion of railway.

**30.** If the railway is 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 railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

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**31.** It shall be lawful for the Company to demand any tolls for the use of the railway not exceeding the following; (that is to say,)

Tolls.

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

For every person conveyed upon the railway, not exceeding twopence per mile ; and if conveyed in or upon a carriage provided by the Company, an additional sum not exceeding one penny per mile.

In respect of animals conveyed in carriages upon the railway, as follows :

For every horse, mule, ass, or other beast of draught or burden, per mile not exceeding sixpence, and for every ox, cow, bull, or neat cattle, per mile not exceeding fourpence ; and if conveyed in or upon any carriage belonging to the Company, an additional sum per mile not exceeding one penny :

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

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

For all copper, copper ore, tin, tin ore, lead, lead ore, iron, iron ore, antimony, manganese, and all other ores, metals, minerals, and semi-metals, wrought and cast iron, bricks, tiles, slate, and stone used for making roads, timber and deals, the sum of threepence per ton per mile ; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one penny :

For all lime, limestone, sand, ore, weed, dung, compost, and all other sorts of manure, building stone, freestone, granite, and clay, the sum of threepence per ton per mile ; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one penny :

For all coal, coke, and culm, the sum of threepence per ton per mile ; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding one penny :

For all grain, corn, flour, meal, and potatoes, hay, straw, seeds, vetches, peas, salt, and all other goods, wares, merchandise,

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and other articles, matters, or things whatsoever, the sum of fourpence per ton per mile; and if conveyed in carriages belonging to the Company, an additional sum per ton per mile not exceeding 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, carried or conveyed on a truck or platform, per mile not exceeding sixpence, and a further sum of twopence per mile for every additional quarter of a ton or fractional part of a quarter of a ton which any such carriage may weigh.

Tolls for propelling power.

**32.** The tolls which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed twopence per mile for each passenger or animal, or for each ton of goods or other articles, in addition to the several other tolls or sums by this Act authorised to be taken.

Maximum rates for passengers.

**33.** The maximum rates 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 carriage 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 per mile.

Passengers luggage.

**34.** Every passenger travelling upon the railway may take with him his ordinary or personal 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.

Regulations as to tolls.

**35.** The following provisions and regulations shall be applicable to the fixing of such tolls ; (that is to say,)

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

For a fraction of a mile beyond three miles, or beyond any greater number of miles, the Company may demand tolls on animals or 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 : A.D. 1880.

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

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

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

**36.** And with respect to the conveyance of horses, cattle, carriages, and goods, the maximum rate of charge to be made by the Company, including the tolls for the use of the railway, and waggons or trucks, and locomotive power, and every expense incidental to such conveyance (other than and except a reasonable charge for loading or unloading when such service is performed by the Company), shall not exceed the following sums : Tolls for  
cattle, goods,  
&c.

For every horse, or other beast of draught or burden before classed with horses, the sum of fourpence per mile :

For every ox, cow, bull, or neat cattle, the sum of threepence per mile :

For every calf or pig, the sum of twopence per mile :

For sheep and small animals, the sum of twopence each per mile :

For every carriage, the sum of sixpence per mile :

For copper, and other articles herein-before classed therewith, the sum of fourpence per ton per mile :

For lime, and other articles herein-before classed therewith, the sum of twopence halfpenny per ton per mile :

For coal, coke, and culm, the sum of twopence per ton per mile :

For grain, and other articles herein-before classed therewith, the sum of fourpence per ton per mile.

**37.** The restrictions as to tolls and charges to be made for passengers and articles herein-before mentioned shall not extend to any special or extra train that may be required to be run on the railway, but shall apply only to the ordinary and express trains appointed or to be appointed from time to time by the Company for the conveyance of passengers and goods on the railway. Restrictions as to  
tolls not to  
apply to  
special  
trains.

**38.** With respect to small parcels and packages not exceeding five hundred pounds in weight, and single articles of great weight, Tolls for  
small parcels

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—  
and articles  
of great  
weight.

notwithstanding the rate of tolls prescribed by this Act, the Company may lawfully demand the following; (that is to say,)

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

For any parcel not exceeding seven pounds in weight, three-pence;

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

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

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

And for parcels exceeding fifty-six pounds in weight 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 of separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but such term shall apply only to single parcels in separate packages.

For the carriage of any one boiler, cylinder, bob, 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 five tons but shall not exceed eight tons, the Company may demand such sum as they from time to time may think fit, not exceeding one shilling per ton per mile; and if conveyed by carriages belonging to the Company, an additional sum per ton per mile not exceeding sixpence:

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.

Company  
may take  
increased  
charges by  
agreement.

**39.** Nothing herein contained shall be held to prevent the Company from taking any increased charge, over and above the charges herein-before limited, for the conveyance of goods of any description, by agreement with the owners of or persons in charge of such goods, either in respect of the conveyance of such goods (except small parcels) by passenger trains or by reason of any other special service performed by the Company in relation to such goods.

Company  
not to carry  
passengers  
without  
consent of  
Board of  
Trade.

**40.** The railway by this Act authorised shall not be used for the conveyance of passengers without the consent of the Board of Trade in that behalf first had and obtained.

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

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Terminal station.

42. The Company may from time to time make and carry into effect agreements with the limited Company and any other company or person interested in the private railway and pier herein-after described, or the lands or foreshore upon which the same have been respectively constructed, for the purchase by the Company of the whole or any part or parts of the said private railway or pier respectively, or any lands or foreshore, stations, sidings, branch lines, approaches, warehouses, buildings, erections, works, and conveniences belonging or appertaining thereto or held therewith respectively, upon such terms and conditions as the contracting parties think fit. The private railway and pier herein-before referred to are in the county of Antrim, and are—

Agreements with limited Company for purchase of their private railway and pier.

(a.) A private railway which commences in the townland of Cloghcor and parish of Ardclinis, at a point on the bank of the River Inver ten feet or thereabouts to the east of the said river, and terminates on the said private pier of the limited Company on the south side of Redbay, at the northern extremity of such pier herein-after described :

(b.) A private pier (known as Glenariff Pier) which commences on the foreshore of Redbay, in the townland of Carrivemurphy and parish of Ardclinis, at or near a point between high and low water mark, seventeen chains or thereabouts from the north-eastern abutment of the bridge by which the said private railway is carried over the mail-car road from Cushendall to Larne, and terminates on the foreshore of Redbay below low-water mark, nine chains or thereabouts from the herein-before described point of commencement of the said pier, measured in a north-westerly direction.

And the Company shall not use the said railway until they have purchased from Conway Edward Dobbs and Alexander Cuppage their respective interests in the lands in which the said railway has been constructed, and have made compensation in respect of any such interest which shall have been taken for or injuriously affected by the execution of the said railway (and for which compensation shall not have been made), and have made proper provision for the accommodation of lands adjoining the railway (in so far as such provision shall not already have been made), in accordance with the provisions of the Acts incorporated with this Act, as if they had been authorised by this Act to construct the said railway.

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Private railway or pier and certain lands not to be taken except by agreement.

Vesting of the purchased premises.

Application of funds.

Provisions of this Act to apply to purchased railway.

Provisions with respect to the private pier.

43. The Company shall not purchase or take the private railway or pier of the limited Company, or any lands belonging to Conway Edward Dobbs, of Glenariff Lodge, in the county of Antrim, or of Alexander Cuppage or his trustees, otherwise than in accordance with the agreements dated thirteenth of August, third of July, and third of July one thousand eight hundred and eighty respectively entered into with reference thereto.

44. At the time agreed on for the purchase to take effect, the premises agreed to be purchased shall, according to the terms and conditions of the agreement for purchase, be by this Act transferred to and vested in the Company, and such transfer shall be evidenced by deed, in which the consideration shall be truly set forth, and which deed shall be duly stamped, and from the date of such purchase the premises purchased shall be deemed to be comprised in and shall form part of the undertaking of the Company: Provided always, that the Company shall within three months from the date of the transfer produce to the Commissioners of Inland Revenue such deed of conveyance, duly stamped as aforesaid, and if the said deed be not so produced, the ad-valorem stamp duty, with interest thereon at the rate of five pounds per centum per annum from the date of the transfer to the day of payment of such duty, shall be recoverable from the Company, with full costs of suit, and all costs and charges attending the same.

45. For the purposes of any sale or transfer to the Company under this Act, the Company may from time to time apply any moneys from time to time raised or raisable by them under this Act.

46. From and after the transfer to the Company of the said private railway, or such part thereof as may be transferred, the provisions herein-before contained with respect to the tolls, fares, rates, and charges to be demanded and taken for and in respect of the railway by this Act authorised shall apply to the railway purchased, or such part thereof as may be purchased, and shall be construed and have effect accordingly.

47. From and after the transfer to the Company of the said private pier (herein-after called "the pier"), the following provisions shall apply and have effect; that is to say,

The Company may demand, levy, and take for the use of the pier and the works in connexion therewith, in respect of persons, vessels, boats, animals, fish, goods, and things described in the Schedule to this Act, any sums not exceeding the several rates specified in such Schedule:

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The limits of the pier, and within which the powers of the pier-master for the regulation of the pier shall be exercised, include the pier and any portion of the foreshore and bay of Redbay within seventy-five yards of any portion of the pier :

The Company may from time to time confer, vary, or extinguish exemptions from, and enter into composition with any person or persons with respect to the payment of tolls, rates, or duties authorised by this Act with respect to the pier, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Act :

Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier, and not breaking bulk while making use thereof, be exempt from rates leviable under this Act :

Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress from, on, into, over and along, and through and out of, the pier, by land, and with their vessels and otherwise, without payment :

The Company may make byelaws for the regulation and control of vessels and boats using the pier, and for the regulation and control of the fishermen and others, and goods and traffic on the pier, approaches thereto, and other works connected therewith, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes :

The Company shall have the appointment of meters and weighers within or adjacent to the limits of the pier :

The Company shall, at the outer extremity thereof, exhibit and keep burning from sunset to sunrise such lights (if any) as the Commissioners of Irish Lights shall from time to time direct :

If the pier, or a work constructed by the Company on, in, over, through, or across tidal lands or a tidal water, is abandoned or suffered to fall into decay, the Board of Trade may abate and remove the work, or any part of it, and restore the site thereof to its former condition, at the expense of the Company ; and the amount of such expense 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, as a penalty is recoverable from the Company :

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If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of the pier, or any work constructed by the Company on, in, over, through, or across tidal lands or tidal water, or of the intended site of any such work, the Company shall defray the expense of the survey and examination, and the amount thereof 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, as a penalty is recoverable from the Company :

The Company shall, on or near the pier, during the whole time of the altering or extending thereof, exhibit and keep burning, at their own expense, every night, from sunset to sunrise, such lights (if any) as the Board of Trade from time to time require or approve, and (notwithstanding the enactments for the time being in force respecting lighthouses) shall also, on or near the work when completed, always maintain, exhibit, and keep burning, at their own expense, every night, from sunset to sunrise, such lights (if any) for the guidance of ships as the Board of Trade from time to time requires or approves :

If the Company fail to comply in any respect with the provisions of the present section, they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Saving rights of the Crown in the fore-shore.

48. Save as in this Act otherwise expressly provided, 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.

Saving rights of Earl of Antrim.

49. Except as otherwise expressly provided and declared by this Act, nothing in this Act contained shall prejudice or affect any estate, right, interest, or privilege of William Randal Earl of Antrim, his heirs or assigns.

Provision for 17 & 18 Vict. c. 104, &c.

50. Nothing in this Act contained shall exempt the pier, when transferred to and vested in the Company under the powers of this



Act, or the Company, from the provisions of the Merchant Shipping Act, 1854, or any general Acts relating to dues on shipping or on goods carried in ships, now in force or which shall be passed during the present or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the rates or duties by this Act authorised in respect of the use of the pier by this Act authorised to be purchased by the Company. A.D. 1880.

51. The Company shall not, out of any moneys by this Act authorised to be raised, pay interest or dividend to any shareholder on account of the calls made in respect of the shares held by him, but nothing in this Act shall 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.

52. The Company shall not, out of any moneys 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. Deposits for future Bills not to be paid out of capital.

53. Nothing in this Act contained shall exempt the Company or the railway 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. Provision as to general Railway Acts.

54. 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. Expenses of Act.

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The SCHEDULE referred to in the foregoing Act.

I.—TONNAGE RATES.

	s.	d.
On foreign-going vessels using the pier to discharge or load cargo, per registered ton	0	6
On all other vessels using the pier to discharge or load cargo, per registered ton	0	3
On passenger steamers not carrying cargo using the pier, per registered ton	0	0½
Vessels using the pier discharging or loading only part cargo to pay only a tonnage rate on the cargo discharged or loaded.		
All open boats, fishing boats, and tug boats for or with vessels which have paid or may pay pier dues are exempt from tonnage rates.		

II.—RATES FOR BALLAST.

	s.	d.
For all ballast supplied by the Company to or discharged by them from any vessel at the pier or within the pier limits	1	4
Any vessel taking ballast otherwise than from the pier-master will be considered as taking cargo, and charged accordingly, and the pier-master shall supply all vessels in order of application made by each for ballast.		

III.—RATES ON ARTICLES SHIPPED OR UNSHIPED UPON THE PIER.

	s.	d.
Apples or pears	0	2
Bacon, beef, or butter	0	0¼
Barley	0	1
Bran	0	0½
Beans and peas	0	0½
Brick or stone, other than limestone	0	0½
Carrots or turnips	0	0½
Coal	0	0¼
Crocks	0	0¼
Cattle, except calves under a year old	0	1
Calves, sheep, pigs, or goats	0	0¼
Deals, all lengths	0	4
Earthenware	0	2
Fire-bricks, tiles, D pipes, &c.	0	0½
Fish, dry or salted	1	4
Flax or tow	0	2
Flax seed	0	1
Flour	0	1
Grass seed	0	1
Gravel	0	1
Guano	0	1

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						s.	d.	A.D. 1880.
Hay and straw	-	-	-	-	-	per ton	0 0½	—
Herrings, fresh	-	-	-	-	-	per 37 gallons	0 1	
Horses, mules, or asses	-	-	-	-	-	each	0 1½	
Indian corn	-	-	-	-	-	per ton	0 0½	
Iron and all metals	-	-	-	-	-	per ton	0 1	
Iron ore	-	-	-	-	-	per ton	0 1	
Kelp	-	-	-	-	-	per ton	0 0½	
Laths	-	-	-	-	-	per 1,000	0 1	
Lime	-	-	-	-	-	per ton	0 1½	
Limestone	-	-	-	-	-	per ton	0 1	
Machinery	-	-	-	-	-	per ton	0 2	
Manure, artificial	-	-	-	-	-	per ton	0 0½	
Mats	-	-	-	-	-	per 100	0 0½	
Meals, all kinds	-	-	-	-	-	per ton	0 1	
Mineral clays	-	-	-	-	-	per ton	0 1	
Oats	-	-	-	-	-	per ton	0 0½	
Potatoes	-	-	-	-	-	per ton	0 0½	
Slates	-	-	-	-	-	per ton	0 0½	
Tar or pitch	-	-	-	-	-	per 36 gallons	0 2	
Timber	-	-	-	-	-	per load of 50 feet	0 1	
Wheat	-	-	-	-	-	per ton	0 1	
Whiting	-	-	-	-	-	per ton	0 0½	
Whisky, wine, &c.	-	-	-	-	-	per 56 gallons	0 8	

*All Goods not enumerated above.*

Light goods	-	-	-	-	-	per 2½ cwt.	0 2
Heavy goods	-	-	-	-	-	per ton	0 1

Rates on goods must be paid by the master, owner, or other person in charge of the vessel discharging or loading the goods to the pier-master or other person appointed to receive rates.

In charging rates on goods the gross weight or measurement to be taken, and for any less weight, measure, or quantity than those above specified a proportion of the above rates shall be charged.

Goods transhipped to another vessel to pay only one rate.

IV.—RATES FOR WEIGHING MACHINES. s. d.

For all goods weighed	-	-	-	-	-	per ton or part of a ton	0 1
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V.—RATES FOR SHED DUES OR STORAGE.

For articles which shall remain in the sheds or on the pier for a longer time than 48 hours	-	-	-	-	-	per ton or 8 barrels	0 3
And for every day during which such articles shall remain after the first 48 hours	-	-	-	-	-	per ton or 8 barrels	0 1½

