ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. lxxx.

An Act for making a Railway from *Ballymena* to *Portrush*. [8th *July* 1853.]

WHEREAS the making of a Railway from *Ballymena* to *Portrush* would be of great public Advantage: And whereas the Persons herein-after named, with others, are willing, at their own Expense, to carry such Undertaking into execution, but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That "The Companies Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," "The Railways Act (*Ireland*), 1851," and "The Lands Clauses Consolidation Act, 1845," except such Parts of the said last-mentioned Act as shall be otherwise provided by "The Railways Act (*Ireland*), 1851," shall be incorporated with and form Part of this Act.

8 & 9 Vict. cc. 16. & 20. and 14 & 15 Vict. c. 70. incorporated with this Act.

Short Title.

II. That in citing this Act in other Acts of Parliament, and in legal Instruments and Pleadings, it shall be sufficient to use the Expression, "The *Ballymena and Portrush* Railway Act, 1853."

Incorporating Company.

III. That the Right Honourable *Hugh Seymour* Earl of *Antrim*, *Benjamin C. Adair*, *Thomas Greg Batt*, *William Wilson Campbell*, *George Gray*, *Robert Grimshaw*, *Samuel Lawrence*, *William Moore*, *John M'Neile*, *Robert M'Calmont*, *John M'Gildowny*, *Edmund M'Neill*, *John Patrick* junior, *John Thomson*, and *Robert Young*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway herein-after described, with all proper Works and Conveniences belonging thereto, according to the Provisions of this Act and the Acts incorporated herewith, and for other Purposes herein and in the said Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Ballymena, Ballymoney, Coleraine, and Portrush Junction* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. Whereas the estimated Cost of constructing the said Railway and Works is Two hundred thousand Pounds: Be it enacted, That the Share Capital of the Company shall be the said Sum of Two hundred thousand Pounds, and all and every Part of the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

Shares.

V. That the Number of Shares into which the said Capital shall be divided shall be Twenty thousand Shares, and the Amount of each Share shall be Ten Pounds Sterling.

Calls.

VI. That Two Pounds per Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Eight Pounds *per* Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Two Months at least shall be the Interval between successive Calls.

Interest not to be paid on Calls.

VII. That it shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on account of the Calls made in respect

respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposits for future Bills not to be paid out of Company's Capital.

VIII. That it shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Power to borrow on Mortgage.

IX. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Sixty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Two hundred thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

First General Meeting.

X. That the First Ordinary General Meeting of the Company shall be held within Six Months after the passing of this Act.

Number of Directors.

XI. That the Number of Directors shall be Fifteen, and the Qualification of each Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Election of Directors at First Ordinary Meeting.

XII. That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Subsequent Election of Directors.

XIII. That at the First Ordinary Meeting to be held in the Year One thousand eight hundred and fifty-four the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions of "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons so elected at any such Meeting, being neither

removed

removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in the Manner provided by "The Lands Clauses Consolidation Act, 1845."

Power to vary the Number of Directors.

XIV. That it shall be lawful for the Company from Time to Time to reduce the Number of Directors, but the whole Number of Directors after any such Reduction shall not be less than Nine.

First Directors.

XV. That the Right Honourable *Hugh Seymour* Earl of *Antrim*, *Thomas Greg Batt*, *William Wilson Campbell*, *Robert Grimshaw*, *George Gray*, *Benjamin Adair*, *Samuel Lawrence*, *William Moore*, *John M'Neile*, *Robert M'Calmont*, *John M'Gildowny*, *Edmund M'Neill*, *John Patrick* junior, *John Thomson*, and *Robert Young*, Esquires, shall be the First Directors of the Company.

Quorum.

XVI. That the Quorum of a Meeting of Directors shall be Three.

Committee of Directors.

XVII. That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three nor more than Five, and the Quorum of such Committees shall be Three, and if such Committees consist only of Three the Quorum shall be Two.

Newspapers for Advertisements.

XVIII. That the Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspapers published in the Counties of *Antrim* and *Londonderry*.

Power to make Railway according to deposited Plans.

XIX. Whereas Plans and Sections of the said Railway showing the Line and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, or reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited with the several Clerks of the Peace of the Counties of *Antrim* and *Londonderry*: Be it enacted, That, subject to the Powers of Deviation in "The Railways Clauses Consolidation Act, 1845," contained, the said Railway shall be made in the Line or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and it shall be lawful for the Company to enter upon, take, and use such of the said Lands as may be necessary for such Purpose.

Respecting Plans to be deposited with Clerks of Unions instead of Postmasters.

XX. And whereas by "The Railways Clauses Consolidation Act, 1845," it is provided, that Certificates of any Omission, Mis-statement, or erroneous Description in certain Plans and Books of Reference therein referred to should be deposited with the Postmasters of the Post Towns in or nearest to the several Parishes in *Ireland* in which the

the Lands affected thereby should be situate, and it is also provided that certain Plans and Sections of such Alterations in the original Plans and Sections as shall have been approved by Parliament should also be deposited with such Postmasters, and be retained, and produced by them for Inspection, in manner therein mentioned: And whereas, in compliance with the present Standing Orders of both Houses of Parliament, the several Plans, Sections, and other Documents heretofore required to be deposited with the Postmasters of the Post Towns in *Ireland* are now deposited with the Clerks of Unions instead of such Postmasters: Be it therefore enacted, That with reference to this Act all the Provisions of the said "Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, and the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or the Word "Postmasters" in the said Act, shall be read and construed as if the Expression "Clerks of the Union within which such Parishes are included in *Ireland*," or the Words "Clerks of the Union," as the Case may be, had been used and inserted in such Acts, 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.

Line of Railway.

XXI. That the said Railway shall commence at or near a certain Field of Land in the Rear of the Village of *Harryville* in the Townland of *Ballykeel* in the Parish of *Ballyclug* in the County of *Antrim*, adjoining the Town of *Ballymena* in the County of *Antrim*, and which Field is the Site of the Terminus of the *Belfast and Ballymena* Railway (where it is proposed to form a Junction with the said *Belfast and Ballymena* Railway), and terminate at or near a certain Field of Land contiguous to the Harbour of *Portrush*, lying on the West Side of the Town of *Portrush* in the Townland of *Portrush* in the Parish of *Ballywillan* and County of *Antrim*, which Railway and other Works will pass from, in, through, or into the several Parishes, Townlands, and Extra-parochial Places following, or some of them; that is to say, the Townland of *Ballykeel*, situate in the Parish of *Ballyclug* in the County of *Antrim*; the Townland of *Townparks* of *Ballymena*, situate in the Parish of *Kirkinriola* in the County of *Antrim*; the Townlands of *Brocklamont*, *Carniney*, *Galgorm Parks*, *Ballyclosh*, *Cullybackey*, *Dunnygarran*, *Broughdone*, *Moylarg*, *Ballywatermoy* and *Kildowney*, situate in the Parish of *Ahoghill* in the County of *Antrim*; the Townland of *Dundermot*, situate in the Grange of *Dundermot* in the County of *Antrim*; the Townlands of *Dunminning*, *Dromore*, *Killycreen*, *Bellaghy*, and *Anticor*, situate in the Parish of *Rasharkin* in the County of *Antrim*; the Townlands of *Ballymacaldrick*, *Dunloy*, *Caldanagh* otherwise *Galdanagh*, *Unshinagh*, situate in the Parish of *Finvoy* in the County of *Antrim*; the Townlands of *Artiferral*, *Smallquarter*, *Crosstagherty*, and *Upper*

Magheraboy, situate in the Parish of *Kilraghts* in the County of *Antrim*; the Townlands of *Glenylough*, *Craigatempen*, *Calheme*, *Upper Ballyboylands*, *Upper Greenshields*, *Dunaghey*, *Lower Greenshields*, *North Ballynamenagh* otherwise *Cumingstown*, *Landhead*, *Greenville*, *Lower Carnaney*, *New Buildings South*, the Town Parks of *Ballymoney*, *Bravallen*, *Millquarter*, *Ballybrakes*, *Coldagh*, *Ballynacreeskein*, *Currysheskin*, *Artigoran*, *Upper Macfinn*, *Lower Macfinn*, situate in the Parish of *Ballymoney* and County of *Antrim*; the Townlands of *Lower Macfinn* and *Lower Culbrim*, situate in the Parish of *Ballymoney* and County of *Londonderry*; the Townlands of *South Coolderry*, *North Coolderry*, *Fishloughan*, *Damhead*, *South Loughanreagh*, *North Loughanreagh*, situate in the Parish of *Kildollagh* in the County of *Londonderry*; the Townlands of *Windy-Hall*, *Knockantern*, *Tullans*, *Wattstown*, *Bellases*, *Lodge*, *Harper's-Hill*, *Coleraine* and Suburbs, *Millburn*, *Spittlehill*, *Dundooan*, and *Ballysally*, situate in the Parish of *Coleraine* in the County of *Londonderry*; the Townlands of *Ballysally*, *Dundooan*, *Kiltinney Beg*, *Islandvarden*, *Kiltinney More*, *South Bellemont*, *North Bellemont*, *South Ballyleese*, *Roselick Beg*, *North Ballyleese*, *Nare*, *West Ballygelagh*, *Roselick More*, *East Ballygelagh*, *Craigtown Beg*, *Craigtown More*, situate in the Parish of *Ballyaghran* in the County of *Londonderry*; the Townlands of *Ballyreagh*, *Glenmanus*, situate in the Parish of *Ballywillan* in the County of *Londonderry*; and the Townland of *Portrush*, situate in the Parish of *Ballywillan* in the County of *Antrim*.

Company to purchase Land for a double Line.

XXII. That the Company shall and they are hereby required, previously to the Completion of the Railway and the opening of the same for Public Traffic, to purchase and take such a Quantity of Land as shall be sufficient for the Purpose of laying down a double Line of Rails thereon, and shall plant and construct the Hedges and Fences to the Railway at such Distances from each other as will leave sufficient Width between the same Hedges and Fences for the Purpose of laying down a double Line of Rails, and shall construct the Bridges and Tunnels of such Dimensions as will admit of a double Line of Rails being placed on the said Railway, and being used for the Purposes of the same.

Board of Trade may require a double Line of Rails to be laid down.

XXIII. That in case the Railway by this Act authorized to be made shall be constructed with a single Line of Rails only, it shall be lawful for the Board of Trade, at any Time after the Completion and opening of the Railway, to require that another Line of Rails shall be laid down, and to certify the Works necessary or proper to be executed by the Company, and by such Certificate to require the Company to execute such Works within a certain Time after the Service of such Certificate to be appointed by the Board.

XXIV. That

Penalty for not laying down double Line of Rails, when required.

XXIV. That if the said Company shall fail to lay down another Line of Rails when required so to do by the Board of Trade, and to execute and complete the necessary Works as aforesaid within the Period appointed for that Purpose in such Certificate, they shall forfeit to Her Majesty the Sum of Twenty Pounds for every Day during which such Works shall remain uncompleted beyond the Period so appointed for their Completion, and such Penalty may be recovered in any of Her Majesty's Courts of Record.

Plans of Works below High-water Mark, &c. to be deposited with the Admiralty, &c.

XXV. That previously to commencing any Works where the Limits of Deviation of the said Railway extend below High-water Mark, or any Works in or affecting tidal Water, or the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of such Works, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Works shall be constructed only in accordance with such Approval.

Admiralty may order local Survey at the Expense of the Company.

XXVI. That if at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal Water or navigable River, or of the intended Site thereof, the Company shall defray the Costs of any such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

If Works affecting Tidal Waters are abandoned, &c. they may be removed, at Expense of Company.

XXVII. That if any Work to be constructed by the Company in or across any tidal Water or navigable River, or if any Portion of such Work which affects any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company; and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

As to level Crossings.

XXVIII. That, subject to the Provisions of this Act and "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful

ful for the Company in the Construction of the Railway to carry the same across and upon the Level of the several public Roads numbered on the Plans deposited as aforesaid as follows; (that is to say,)

The Road numbered 8ª in the Parish of *Ahoghill* in the Townland of *Brocklamont*:

The Road numbered 79 in the Parish of *Ahoghill* in the Townland of *Galgorm Parks*:

The Road numbered 90 in the Parish of *Ahoghill* in the Townland of *Galgorm Parks*:

The Road numbered 126 in the Parish of *Ahoghill* in the Townland of *Cullybackey*:

The Road numbered 135 in the Parish of *Ahoghill* in the Townland of *Cullybackey*:

The Road numbered 145 in the Townland of *Cullybackey*:

The Road numbered 180 in the Parish of *Ahoghill* in the Townland of *Broughdone*:

The Road numbered 6 in the Parish of *Rasharkin* in the Townland of *Dromore*:

The Road numbered 85 in the Parish of *Rasharkin* in the Townland of *Bellaghey*:

The Road numbered 46 in the Parish of *Finvoy* in the Townland of *Dunloy*:

The Road numbered 70ª in the Parish of *Finvoy* in the Townland of *Galdanagh*:

The Road numbered 24 in the Parish of *Ballymoney* in the Townland of *Glenylough*:

The Road numbered 53ª in the Parish of *Ballymoney* in the Townland of *Ballyboylands Upper*:

The Road numbered 205 in the Parish of *Ballymoney* in the Townland of *Coldagh*:

The Road numbered 250 in the Parish of *Ballymoney* in the Townland of *Currysheskin*:

The Road numbered 67 in the Parish of *Killdollagh* in the Townland of *Fishlaughan*:

The Road numbered 109 in the Parish of *Killdollagh* in the Townland of *Laughanreagh South*:

The Road numbered 136 in the Parish of *Coleraine* in the Townland of *Coleraine* and Suburbs:

The Road numbered 137 in the Parish of *Coleraine* in the Townland of *Coleraine* and Suburbs:

The Road numbered 184 in the Parish of *Coleraine* in the Townland of *Millburne*:

The Road numbered 236 in the Parish of *Coleraine* in the Townland of *Dundoan*:

The Road numbered 198 in the Parish of *Ballyaghran* in the Townland of *Dundoan:*

The Road numbered 103 in the Parish of *Ballyaghran* in the Townland of *North Ballyleese:* All said last-mentioned Roads being in the County of *Londonderry*.

Station or Lodge to be erected at the Points of Crossing, and Company to abide by Rules, &c. of Board of Trade.

XXIX. That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the Railway crosses the before-mentioned Roads on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect and at all Times to maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of Trade may require Bridges in lieu of level Crossings.

XXX. That it shall be lawful for the Board of Trade, if it shall appear to them necessary for the Public Safety, at any Time hereafter to require the Company, within such Time as shall be by them directed, and at the Expense of the Company, to carry any or either of the said Roads either over or under the Railway by means of a Bridge or Arch in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to be best adapted for removing or diminishing the Danger arising from such level Crossing, but where any such Road shall be so carried either under or over the Railway it shall not be necessary for the Company to erect or maintain any Station or Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Land for extraordinary Purposes.

XXXI. That it shall be lawful for the said Company to purchase for extraordinary Purposes any Quantity of Land not exceeding Forty Acres.

Limiting Time for compulsory Purchase of Land.

XXXII. That the Powers of the Company for the compulsory Purchase of Land for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Limiting Time for the Completion of Works.

XXXIII. That after the Expiration of Five Years from the passing of this Act the Powers of this Act shall cease to be exercised, except as to so much of the said Railway as shall then be completed.

As to Formation of a Junction with the Londonderry and Coleraine Railway.

XXXIV. That the Company shall and they are hereby required, in the Session of Parliament to be held in the Year 1854, apply for and consent to, and use their best Exertions to obtain, an Act to authorize the Company to construct a Branch Railway for the Purpose of effecting a Junction between the *Londonderry and Coleraine* Railway, or the Railway by this Act authorized, and the Railway to be authorized by an Act now before Parliament, intituled "The *Londonderry and Coleraine* Railway Act, 1853," if the same shall pass into a Law, and that such Branch Railway shall be made and constructed from such Points and in such Direction as may be mutually agreed upon between the respective Engineers of the Company and of the *Londonderry and Coleraine* Railway Company, and in case they shall not agree, then from such Points and in such Direction as shall be settled by an Engineer to be appointed by the Commissioners of Public Works in *Ireland*.

Junction to be at the joint Expense of the Companies.

XXXV. That in case the said *Londonderry and Coleraine* Railway Company shall neglect or refuse to apply to Parliament for the said Act, or to join and concur with the Company by this Act incorporated in making such Application, it shall be lawful for the Company by this Act incorporated to make such Application to Paliament, and to recover One Moiety of the Costs and Expenses of making such Application from the said *Londonderry and Coleraine* Railway Company; and in case the said Act shall pass into Law, it shall be lawful for the Company by this Act incorporated, in case of such Neglect or Refusal as aforesaid, to recover One Moiety of the Costs and Expenses of obtaining such Act and of constructing the said Branch Railway from the said *Londonderry and Coleraine* Railway Company.

Tolls.

XXXVI. That 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,)

Tonnage on Articles of Merchandize.

1. In respect of the Tonnage of all Articles conveyed on the Railway or any Part thereof, as follows:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and for all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Meal, Bread, Potatoes, Hay, Straw, Flax, Tow, Linen or Cotton Yarn, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Twopence Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Cotton and other Wools, Drugs (excepting Vitriol), manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Threepence Halfpenny; and if conveyed in Carriages belonging to the Company an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform belonging to the Company, *per* Mile not exceeding Sixpence:

And a like 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 so conveyed may weigh.

Tolls for Passengers or Cattle.

2. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For any Person conveyed in or upon any such Carriage, *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 Halfpenny:

For every Horse conveyed in or upon any Carriage belonging to the Company, not exceeding Fivepence *per* Mile:

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; 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, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny.

XXXVII. That

Tolls for propelling Power.

XXXVII. That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *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 authorized to be taken.

Maximum Rates of Charge for Passengers, Cattle, Goods, &c.

XXXVIII. That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the said Railway, including the Tolls for the Use of Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

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:

And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rates of Charges 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 (except the loading and unloading of Goods, when such Service is performed by the Company), shall not exceed the following Sums:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, the Sum of Fourpence *per* Mile:

For every Ox, Cow, Bull, or Neat Cattle, the Sum of Twopence *per* Head *per* Mile:

For every Calf or Pig, One Penny each *per* Mile:

For every Sheep or Lamb or other small Animal, the Sum of Three Farthings *per* Mile:

For every Carriage, of whatever Description, and not being adapted and used for travelling on a Railway, unaccompanied by Passengers, the Sum of Sixpence *per* Mile:

For Manure, and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile:

For Coals, and other Articles herein-before classed therewith, the Sum of Twopence *per* Ton *per* Mile:

For Sugar, and other Articles herein-before classed therewith, the Sum of Threepence *per* Ton *per* Mile:

For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Fourpence *per* Ton *per* Mile.

Restriction as to Charges not to apply to special Trains.

XXXIX. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any special Train that may

may be required to be run upon the said Railway, but shall apply only to the express and ordinary Trains appointed or to be appointed from Time to Time by the said Company for Conveyance of Passengers and Goods upon the said Railway.

Regulations as to Tolls.

XL. That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Four Miles the Company may demand Tolls 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 on Merchandise 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 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 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.

Tolls for small Parcels and Articles of great Weight.

XLI. That with respect to small Packages, and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds each,) on the Railway or any Part thereof, as follows:

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

For any Parcel not exceeding Fourteen Pounds in Weight, Eightpence:

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling and Fourpence:

For any Parcel not exceeding Fifty-six Pounds in Weight, Two Shillings:

And for any Parcel exceeding Fifty-six 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, 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 shall think fit, not exceeding One Shilling *per* Ton *per* Mile:

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.

Passengers Luggage.

XLII. That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Power to the Company to use the Belfast and Ballymena Railway.

XLIII. That it shall be lawful for the Company hereby incorporated to use and run over, with their Engines and Carriages of every Description, the Railway of the *Belfast and Ballymena* Railway Company, and to use the Stations, Watering Places, Booking and other Offices, Warehouses, and other Conveniences of the said *Belfast and Ballymena* Railway Company in connexion therewith, upon such Terms and Conditions, and on Payment of such Tolls, Rates, and Charges in respect thereof, as may be agreed upon between the Company hereby incorporated and the said *Belfast and Ballymena* Railway Company, or as, in case of Difference between them, shall be settled and determined by an Arbitrator to be appointed for that Purpose by the Board of Trade.

Power to the Belfast and Ballymena Railway Company to use this Railway.

XLIV. That it shall be lawful for the *Belfast and Ballymena* Railway Company to use and run over, with their Engines and Carriages of every Description, the Railway of the Company hereby incorporated, and to use the Stations, Watering Places, Booking and other Offices, Warehouses, and other Conveniences of the Company in connexion therewith, upon such Terms and Conditions, and on Payment of such Tolls, Rates, and Charges in respect thereof, as may be agreed upon between the Company hereby incorporated and the said *Belfast and Ballymena* Railway Company, or as, in case of Difference between them, shall be settled and determined by an Arbitrator to be appointed for that Purpose by the Board of Trade.

XLV. Pro-

Contracts not to affect Persons not Parties thereto.

XLV. Provided always, That no such Contract as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls which the respective Companies, Parties to such Contracts, shall for the Time being be respectively authorized and entitled to demand or receive from any Person or any other Company, but that all other Persons and Companies shall, notwithstanding any such Contract, be entitled to the Use and Benefit of any of the said Railways, upon the same Terms and Conditions, and on Payment of the same Tolls, as they would have been in case no such Contract had been entered into.

Railway to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

XLVI. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Railway by this Act authorized or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railway and Company, so far as the same shall be applicable thereto.

Railway not exempt from Provisions of future General Acts.

XLVII. That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made, or the Company, from the Provisions of any General Act relating to such Act, or 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 the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the Tolls for small Parcels and of the maximum Rates of Fares and Charges authorized by this Act.

XLVIII. That

Saving the Rights of the Irish Society.

XLVIII. That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Honourable the *Irish* Society the Governors and Assistants, *London*, of the New Plantation of *Ulster*, within the Realm of *Ireland*, under or by virtue of any Charter or Charters heretofore granted to them by the Crown, or of any Statute or Statutes in anywise relating thereto.

Expenses of Act.

XLIX. That all the Costs, Charges, and Expenses of preparing and attending the passing of this Act, or incidental thereto, shall be paid by the Company.

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