ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Cap. ccviii.

An Act for making a Railway from *Banbridge* to join the *Dublin and Belfast Junction* Railway at *Scarvagh*. [20th *August* 1853.]

WHEREAS the making of a Railway from the Town of *Banbridge* in the County of *Down* to a Point on the *Dublin and Belfast Junction* Railway in the County of *Armagh*, at or near to the Town of *Scarvagh* in the County of *Down* would be of great public Advantage, by opening an additional, certain, and expeditious Means of Communication between the said Town of *Banbridge* and the Ports of *Newry*, *Dublin*, and *Belfast*: And whereas the Persons herein-after named, with other Persons and Corporations, are willing, at their own Expense, to provide such Communication; 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, as follows:

The Banbridge Junction Railway Act, 1853.

8 & 9 Vict. cc. 16. 18. & 20. and 14 & 15 Vict. c. 70. incorporated with this Act.

I. That the Provisions of the following Acts of Parliament, (that is to say,) "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," except Clauses as to Purchase of Lands otherwise than by Agreement, "The Railways Clauses Consolidation Act, 1845," and "The Railways Act (*Ireland*), 1851," shall be incorporated with and form Part of this Act.

Short Title.

II. That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to use the Expression "The *Banbridge Junction* Railway Act, 1853;" and that in mentioning the Name of this Railway for any Purpose whatsoever it shall be sufficient to use the Expression "*Banbridge Junction* Railway."

Subscribers incorporated.

III. That *John Temple Reilly*, *Richard Hayes*, *John Smyth*, *Thomas Ferguson*, *Francis Carvill*, *Joseph Lupton*, *Samuel Hill*, *Frederick William Hayes*, *Robert M'Clelland*, *William Waugh*, and *James Birch Kennedy*, Esquires, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking hereby authorized, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway hereinafter described, with proper Works and Conveniences belonging thereto, according to the Provisions of the herein-before mentioned Acts and of this Act; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Banbridge, Newry, Dublin, and Belfast Junction* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have the Power to purchase and hold Lands for the Purposes of the said Undertaking, subject to the Restrictions herein and in the herein-before mentioned Acts contained.

Capital.

IV. And whereas the estimated Expense of making the Railway is Thirty-five thousand Pounds: Be it enacted, That the Capital of the Company shall be Forty thousand Pounds.

Number and Amount of Shares.

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

Calls.

VI. That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company shall be authorized to make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and not more than Three Fourths of the Amount of a Share shall be called up in One Year on each Share.

VII. That

Interest or Dividend not to be paid on Calls.

VII. That the Company shall not, 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, pay any Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of 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 the Company shall not, out of any Money by this Act authorized to be raised for the Purposes of such Act, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any Railway or execute any other Work or Undertaking.

Power to borrow Money on Mortgage.

IX. That it shall be lawful for the Company at any Time or from Time to Time to borrow, on Mortgage or Bond, any Sum or Sums of Money, not exceeding in the whole the Sum of Eight thousand Pounds: Provided always, that no Part of the said Sum of Eight thousand Pounds shall be borrowed until the Sum of Forty thousand Pounds shall have been subscribed and One Half thereof paid up.

Application of Monies raised under this Act.

X. That all Monies raised by the Company under the Powers of this Act shall be applied only for the Purposes of this Act, and for no other Purpose whatsoever.

Arrears may be enforced by the Appointment of a Receiver.

XI. That it shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages, by the Appointment of a Receiver; but in order to authorize the Appointment of such Receiver in the event of the Principal Monies due on such Mortgages not being duly paid, the Amount owing to the Creditors by whom such Application shall be made shall not be less than Six thousand Pounds in the whole.

Meetings of theCompany.

XII. That the First General Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *March* and *September*; and all Meetings, whether ordinary or extraordinary, of the said Company and Directors, shall be held at *Banbridge*, or such convenient Place or Places as the Directors for the Time being shall appoint.

XIII. That

Quorum of Meetings of Company.

XIII. That the Quorum for every Meeting of the Company, whether ordinary or extraordinary, shall be Ten Shareholders present, personally or by Proxy, and holding in the aggregate not less than Three thousand Pounds in the Capital of the Company.

Shareholders may convene Extraordinary Meetings.

XIV. That the Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall be Ten Shareholders, holding in the aggregate not less than Three thousand Pounds in the Capital of the Company.

Number and Qualification of Directors.

XV. That the Number of Directors shall be Eleven until the First General Meeting to be held after the passing of this Act, and from and after the said First General Meeting the Number of Directors shall be Six, and the Qualification of a Director (except the Director to be appointed by the *Dublin and Belfast Junction* Railway Company herein-after mentioned) shall be the Possesson in his own Right of Ten Shares in the Undertaking.

Directors to be appointed by the Dublin and Belfast Junction Railway Company.

XVI. That when and so long as the *Dublin and Belfast Junction* Railway Company shall continue Shareholders in the Company to the Extent of Five thousand Pounds, the Directors for the Time being of the said *Dublin and Belfast Junction* Railway Company may appoint from and out of the Members of their own Board One of such Members as a Director of the Company hereby incorporated, without any Interference or Control of the Shareholders thereof, and such Director so appointed shall be in all respects qualified to act as Director of the Company, notwithstanding his Name shall not appear upon the Registry of Shareholders of the Company hereby incorporated.

Directors to be appointed by the Company hereby incorporated.

XVII. That when and so long as the *Dublin and Belfast Junction* Railway Company shall continue Shareholders as aforesaid, Five of the Directors of the Company hereby incorporated shall be elected by the other Shareholders thereof, and such Directors shall be elected by such other Shareholders without any Interference or Control of the said *Dublin and Belfast Junction* Railway Company or of any Person on their Behalf.

First Directors.

XVIII. That *John Temple Reilly*, *Richard Hayes*, *John Smyth*, *Thomas Ferguson*, *Francis Carvill*, *Joseph Lupton*, *Samuel Hill*, *Frederick William Hayes*, *Robert M'Clelland*, *William Waugh*, and *James Birch Kennedy*, Esquires, shall be the Directors of this Company until the First General Meeting.

Quorum of Directors.

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

XX. That

Election of Directors at First General Meeting.

XX. That the Directors appointed by this Act or such of them as shall not die, or resign, or become disqualified, or be removed, shall continue in Office until the First General Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may continue in Office such of the Directors appointed by this Act as they shall think fit, not exceeding Six, or if the said *Dublin and Belfast Junction* Railway Company shall be Shareholders to the Amount herein-before mentioned, not exceeding Five Directors; or may elect new Directors to supply the Places of those not continued in Office; the Directors appointed by this Act being eligible to be selected as Members of such new Body.

Subsequent Election of Directors.

XXI. That at the First General Meeting to be held in every Year after the First General Meeting the Shareholders present, personally or by Proxy, exclusive of the Representatives of the said *Dublin and Belfast Junction* Railway Company, shall elect Persons to supply the Place of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; 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 Companies Clauses Consolidation Act, 1845."

Committees of Directors.

XXII. That the Number of Directors, of which Committees appointed by the Directors shall consist, shall be such Number as the Directors shall from Time to Time think fit, not being less than Three; and at all Meetings of any Committee One of the Members present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Members present; and in case of an Equality of Votes, the Chairman shall have a Casting Vote in addition to his own Vote as a Member of the Committee.

Quorum of Committee of Directors.

XXIII. That the Quorum of a Meeting of a Committee shall be Two Members of such Committee.

The Dublin and Belfast Junction Railway Company authorized to subscribe to the Undertaking.

XXIV. That it shall be lawful for the *Dublin and Belfast Junction* Railway Company, out of any surplus Capital they may possess, to advance or lend by way of Mortgage or Loan to, or to subscribe towards and become Shareholders in, the Undertaking hereby authorized, either in their own Names or in the Name or Names of any Person or Persons to be appointed by them, to the Extent of Five thousand Pounds.

Qualification of Auditors.

XXV. That every Auditor appointed by this Act shall have at the least the same Number of Shares as are herein-before required to qualify for a Director.

Periods for Balance and Inspection of Books.

XXVI. That the Periods to which the Books of the Company shall be brought to Balance shall be the Thirty-first Day of *December* and the Thirteenth Day of *June* in each Year, and the Periods at which the Shareholders and Mortgagees and Bond Creditors of the Company shall be entitled to the Inspection of such Books, and also the Balance Sheets to be made up as provided by "The Companies Clauses Consolidation Act, 1845," shall be Fourteen Days before and Fourteen Days after each of the Ordinary Meetings of the Company.

Power to make Railway according to deposited Plan.

XXVII. And whereas Plans and Sections of the intended Railway, showing the Lines and Levels thereof, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass, or which may be required for the Purposes of the Undertaking, were on or about the Thirtieth Day of *November* last deposited with the Clerks of the Peace for the Counties of *Down* and *Armagh*: And whereas since the Deposit of the said Plans and Sections and Books of Reference an Alteration in the Line or Course of the Railway has been deemed expedient: And whereas an amended Plan and Section, describing the whole of the proposed Works according to the altered Line or Course and Levels thereof, with an amended Book of Reference thereto, were on or about the Eighth Day of *April* last, in the present Year, deposited for public Inspection with the said Clerks of the Peace: Be it enacted, That the said Plan, Section, and Book of Reference so deposited with the said Clerks of the Peace as last aforesaid shall be kept by the said Clerks of the Peace, and it shall be lawful for the Company, subject to the Provisions in this and the said Acts incorporated herewith contained, to make and maintain the said Railway and Works in the Lines and upon the Lands delineated on the said Plan and described in the said Book of Reference, and according to the Levels defined on the said Section so respectively deposited as last aforesaid, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Not to take Land of Mr. Bell without his Consent.

XXVIII. That nothing in this Act contained shall authorize the Company to enter upon, take, and use any of the Property belonging to *James Greer Bell* situate in the Townland of *Tullylish* and Parish of *Tullylish*, without the Consent of the said *James Greer Bell* first had and obtained.

Description of Line of Railway.

XXIX. That the said Line of Railway shall commence by a Junction with the *Dublin and Belfast Junction* Railway at or near to the Town of *Scarvagh* in the Townland of *Aughlish*, Parish of *Ballymore* and County of *Armagh*, and terminate in a Field at or near the Town of *Banbridge* in the Townland of *Edenderry* in the Parish of *Seapatrick* and County of *Down*.

XXX. And

As to Deposit of Plans with Clerks of Unions.

XXX. And whereas by "The Railways Clauses Consolidation Act, 1845," it is provided that Certificates of any Omissions, Misstatement, 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 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 the Unions, instead of such Postmasters: Be it therefore enacted, That with reference to this Act all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, and to the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or the Word "Postmaster," in the said Act, shall be read and construed as if the Expression "Clerks of the Unions within which such Parishes are included in *Ireland*," or the Words "Clerk of the Union," as the Case may be, had been used and inserted in such Act in lieu of the Expression "the Postmaster of the Post Towns in or nearest to such Parishes in *Ireland*," or in lieu of the Word "Postmaster," as the Case may be.

Company to construct a Siding to the Newry Canal near Scarvagh.

XXXI. That the Company shall at their own Costs and Charges construct and maintain a proper and sufficient Siding from the Railway by this Act authorized, such Siding to commence at or near to the proposed Junction with the *Dublin and Belfast Junction* Railway near *Scarvagh*, and to terminate on the West Side of the *Newry* Canal near the Point where the present County Bridge crosses the said Navigation or Canal near *Scarvagh* aforesaid.

Company to construct a Quay and Quay Wall on the Side of Newry Canal.

XXXII. That the Company shall also at their own Costs and Charges construct and maintain a Quay and Quay Wall, at least Two hundred Feet long, on the West Side of the *Newry* Canal at the Terminus of the Siding aforesaid.

For Bridges over the Newry Canal.

XXXIII. That in carrying the said Railway over the *Newry* Canal said Railway Company shall and they are hereby required to make, and at all Times for ever thereafter to maintain and keep up, good and substantial Bridges over the said Canal and the Towing-path thereof, with Approaches to the said Bridges respectively, leaving a Waterway of at least Eighteen Feet in the clear for the Purposes

of

of the Navigation, and a Horse Towing-path of at least Six Feet in Breadth.

Works to be constructed as approved by Engineer of Newry Navigation.

XXXIV. That the Siding, Quay, and Quay Wall aforesaid shall be constructed in such Manner as shall be approved of by the Engineer for the Time being of the *Newry* Navigation Company.

Penalty on impeding Navigation.

XXXV. That during such Time or Times as the Bridges intended to be erected over the said Canal shall be in progress of being built or repaired, and at all Times, the said Railway Company shall keep the Waterway at and about the said Bridges free and clear, so that Vessels navigating thereupon have sufficient and convenient Room to pass thereon, and in the event of the said Waterway being in any way obstructed by the said Railway Company or their Works and Servants, so that Flats, Barges, or Vessels navigating the said Canal shall not be able to pass along the same, the said Railway Company shall forfeit and pay a Penalty not exceeding Twenty Pounds *per* Day for every Day during which the said Waterway shall be so obstructed as aforesaid, such Penalty or Penalties to be recovered and applied in manner directed by "The Companies Clauses Consolidation Act, 1845."

Roads to be crossed on the Level.

XXXVI. That, subject to the Provisions of this Act and "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company, in the Construction of the Railway by this Act authorized, 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 34 in the Townland of *Edenderry* in the Parish of *Seapatrick*:

The Roads numbered respectively 5 and 21 in the Townland of *Lisnafiffy* in the Parish of *Seapatrick*:

The Road numbered 40 in the Townland of *Drumnascamph* in the Parish of *Tullylish*:

The Road numbered 4 in the Townland of *Drumhorc* in the Parish of *Tullylish*.

Company to erect Station or Lodge where Roads cross on the Level.

XXXVII. 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 before-mentioned Roads shall be crossed on a 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 or at all Times maintain any such Station or Lodge, or appoint a proper

proper Person to watch or superintend the Crossing at any 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 a Bridge to be erected in lieu of level Crossing.

XXXVIII. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the public Safety, at any Time either before or after the Railway by this Act authorized to be made shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry any or either of the herein-before mentioned Roads either under or over the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, and to execute such other Works as under the Circumstances of the Case shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Lands for extraordinary Purposes.

XXXIX. That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Twenty Acres.

Powers for compulsory Purchase of Lands limited.

XL. That 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 Two Years from the passing of this Aet.

Period for Completion of Railway.

XLI. That the Railway shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers of this or the herein-before mentioned Acts granted to the Company for executing the said Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Tolls.

XLII. 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 Merchandise.

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

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and 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 all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand,

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 One Penny Halfpenny; 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, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Twopence; 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, Linen, Drugs, 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, and 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 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; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Twopence:

Tolls for Passengers and Cattle.

XLIII. That in respect of Passengers and Animals conveyed in Carriages upon the Railway it shall be lawful to demand as follows:

For every 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, Mule, Ass, or other Beast of Draught or Burden conveyed in and upon any such 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 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.

XLIV. That

Tolls for propelling Power.

XLIV. 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 by this Act authorized to be taken.

Maximum Charges for Conveyance of Passengers.

XLV. That the maximum Rates of Charges to be made by the Company for the Conveyance of Passengers upon the said Railway, including the Tolls for the Use of the 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.

Restrictions as to Charges not to apply to Special Trains.

XLVI. That the Restrictions as to Charges to be made for Passengers and Articles herein-before and herein-after mentioned shall not extend to any Special Trains, but only to the Express and Ordinary Trains appointed or to be appointed from Time to Time by the Company.

Maximum Charges for Conveyance of Goods and Cattle.

XLVII. That it shall not be lawful for the Company to charge in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the Railway by this Act authorized, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, (except a reasonable Charge for the Expense of loading and unloading, where such Service is performed by the Company,) than the several Sums herein-after mentioned; (that is to say,)

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile Twopence:

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 Threepence:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Threepence Farthing:

For

For all Cotton and other Wools, Linen, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per* Ton *per* Mile Fivepence:

For every Carriage, of whatever Description, and 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 Sixpence:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per* Mile Fourpence:

And for every Calf or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile Twopence.

Regulations as to the Tolls.

XLVIII. 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, and, in addition to the prescribed Tolls for Conveyance, a reasonable Charge for the Expense of loading and unloading:

For a Fraction of a Mile beyond Four Miles the Company may demand Tolls on Merchandise, Articles, Matters, or Things for such Fraction in proportion to the Number of Quarters of a Mile contained therein; and if there be a Fraction of a Qnarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect to 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 Stones 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 deened One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and Articles of great Weight.

XLIX. 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 on the Railway or any Part thereof, as follows:

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

For

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:

For any Parcel exceeding Fifty-six Pounds and 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 as separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Terms 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 think fit, not exceeding Sixpence *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 may think fit.

Company may take increased Charges by Agreement.

L. That 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 thereto.

Passengers Luggage.

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

Company may make Arrangement with other Companies for the Use of Line;

LII. That it shall be lawful for the Company hereby incorporated to enter into any Contracts or Agreements with the *Dublin and Belfast Junction* Railway Company, and any other Railway Company running into or joining or being in connexion with the Line of Rails of the said *Dublin and Belfast Junction* Railway Company, or this Company, or any or either of them, for the Passage over or along any or either of the said Railways of any Engines, Coaches, Waggons, or

other Carriages by the Company hereby incorporated 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 *Dublin and Belfast Railway Junction* Company or any other Company aforesaid in connexion with the Line of the said *Dublin and Belfast Junction* Railway, or as, in case of Difference between any of the said Companies, shall be settled and determined by an Arbitrator to be appointed for that Purpose by the Board of Trade.

also with the Dublin and Belfast Junction Railway Company for Working and Use of Line.

LIII. That it shall be lawful for the said *Dublin and Belfast Junction* Railway Company and the Company hereby incorporated to make, enter into, and complete any Contracts and Agreements or Arrangements which may be by them mutually deemed necessary and advisable for the Working and Use of the Railway by this Act authorized, the Management of the Traffic thereon, and generally for and in respect of all such Matters and Things as may be necessary for the proper and efficient Working of the said Railway when completed, on such Terms and Conditions and in such Manner as may be agreed upon by and between the said Companies.

Disputes with other Companies to be referred to Arbitration.

LIV. That if any Dispute or Difference shall arise between the Company hereby incorporated and any other Company using the Railway and Works hereby authorized to be made concerning the Tolls to be charged for the Use thereof, or concerning the Time or Method of forwarding the Traffic thereon, or concerning any Cause, Matter, or Thing wherein the Convenience of the Public or the Interest of the Companies or either of them may be concerned, such Dispute or Difference shall at the Request of either Party be referred to Arbitration under the Provisions of "The Railways Clauses Consolidation Act, 1845."

Contracts not to affect Persons not Parties thereto.

LV. 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, &c. to be subject to Provisions of 1 & 2 Vict. c. 98.,

LVI. 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*

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 said Railway and Works, 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 Works, and Company, so far as the same are applicable.

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.

Railway not exempt from Provisions of future General Acts.

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

Expenses of Act.

LVIII. That the Expenses and Charges attending or incident to the applying for and obtaining this Act shall be paid by the Company.

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