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Cap. lix.

An Act to authorize the Lease of the *Banbridge Junction* Railway to the *Dublin and Belfast Junction* Railway Company; and for other Purposes. [25th *May* 1860.]

WHEREAS by "The *Banbridge Junction* Railway Act, 1853," a Company was incorporated by the Name of "The *Banbridge, Newry, Dublin, and Belfast Junction* Railway Company," and were authorized to make a Railway from the *Dublin and Belfast Junction* Railway to the Town of *Banbridge*: And whereas by "The *Banbridge Junction* Railway Act, 1856," (herein-after called "the Act of 1856,") the Name of the Company was altered to "The *Banbridge Junction* Railway Company," (herein-after called "the Company,") and the Act of 1853 was repealed, and further Powers were granted to the Company for the Completion of their Undertaking, and they were authorized to enter into certain working Arrangements with the *Dublin and Belfast Junction* Railway Company (herein-after called "The *Belfast Junction* Company"): And whereas the Company have completed the Railway and made working Arrangements with the *Belfast Junction* Company, as authorized by the Act of 1856: And whereas it is expedient that the Company should be authorized to grant and the *Belfast Junction* Company

16 & 17 Vict. c. ccviii.

19 & 20 Vict. c. xxxiv.

be authorized to accept a Lease of the Undertaking of the Company; 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; (that is to say,)

Short Title.

I. This Act may be cited for any Purpose as "*Banbridge Junction* Railway (Lease) Act, 1860."

8 & 9 Vict. c. 20. incorporated.

II. "The Railways Clauses Consolidation Act, 1845," is incorporated with and forms Part of this Act.

Same Meanings to Words, &c. in incorporated Act as in this Act.

III. The several Words and Expressions to which by the Act incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Power to lease Undertaking to Belfast Junction Company.

IV. Subject to the Approval of the Board of Trade as herein-after mentioned, the Company may grant and the *Belfast Junction* Company may accept a Lease for any Term or Number of Years not exceeding Twenty-one Years which may be agreed upon between the Companies of all or any Part of the Undertaking of the Company, and the Property for the Time being vested in such last-mentioned Company for the Purposes of that Undertaking, and all or any of the Tolls, Rates, and Duties which the Company is or may be empowered to raise and levy, and all or any of the Rights, Powers, and Privileges of which the Company is or may be or become possessed with reference to that Undertaking, at or under such annual or other Rents, or for or in consideration of such Share of the gross or net Earnings or Profits, or for such other Considerations, and with, under, and subject to such Powers, Provisoes, Stipulations, Conditions, and Agreements as the Companies from Time to Time approve.

Lease to be approved by Board of Trade.

V. No such Lease shall have any Operation until the same shall have been approved of by the Board of Trade, and no such Lease shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the Company shall for the Time being be authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Lease, be entitled to the Use and Benefit of the Railway upon the same Terms and Conditions and on Payment of the same Tolls, Rates, and Charges as they would have been in case no such Lease had been entered into: Provided always, that the said Board shall not approve such Lease without being satisfied that the same has been duly assented to by the Share-

Lease not to affect Persons not Parties thereto.

Shareholders of the respective Companies Parties thereto, in Special Meeting assembled for that Purpose.

Lease may be renewed, with the Approval of the Board of Trade.

VI. At the Expiration of the Lease the Companies, with the Consent in Special Meeting of the Shareholders of such Companies respectively, and subject to the Approval of the Board of Trade, may enter into a further Lease of the Railway, provided that before such Companies shall enter into any such further Lease they shall give Notice of their Intention to enter into such Lease by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Three successive Weeks in some Newspaper published or circulating in *Dublin*; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Lease and desiring to object thereto may bring such Objections before the Board of Trade; and no such Lease shall be valid at Law or in Equity until the same shall have been approved of by the Board of Trade.

Public Notice to be given of the Intention to enter into further Lease.

Lease inoperative until approved by Board of Trade.

Lease not take effect unless approved by Three Fifths of the Proprietors.

VII. None of the Powers and Provisions of this Act with respect to the Lease of the Railway by the *Belfast Junction* Company shall have any Operation or Effect unless and until the Contracts and Arrangements intended to be made for such Purpose shall have been submitted to the Proprietors, and approved of by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the Companies Parties to such Lease specially convened for the Purpose.

Meetings, how to be convened:

VIII. Such Meetings shall be called by Advertisements inserted for Two successive Weeks in a Newspaper published in *Dublin* and in some Newspaper published in the County or Counties in which the principal Offices of the Companies Parties to such Lease are situate, the last of which Advertisements shall be published not less than Seven Days before such Meetings respectively, and also by a Circular addressed to each Shareholder entitled to vote at Meetings of the Companies in accordance with the Provisions of the Acts relating to the Companies.

As to short Distances.

IX. In estimating the Tolls and Charges to be paid during the Continuance of any such Lease for short Distances in respect of Articles or Persons conveyed partly over the *Banbridge Junction* Railway and also partly over the *Dublin and Belfast Junction* Railway, the Distances traversed shall be reckoned continuously on such Railways as if the Railways were One Railway, and the Tolls and Charges for such short Distances shall be those taken on the *Banbridge Junction* Railway.

Interest not to be paid on Calls paid up.

X. The Company shall not, out of any Money by the recited Acts authorized to be raised by Calls in respect of Shares or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him

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in the Capital by the recited Acts authorized to be raised: Provided always, that nothing in this Act contained shall be deemed to prevent the 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 the Company's Capital.

XI. 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 any Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Railways not exempt from Provisions of present and future General Acts.

XII. Nothing herein contained shall be deemed or construed to exempt the Railways or the Companies from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision or Alteration under the Authority of Parliament of the Rates for small Parcels, or of the Maximum Rates of Fares and Charges authorized by this Act or the recited Acts.

Expenses of Act.

XIII. All the Costs, Charges, and Expenses of and incidental to the obtaining of this Act and preparatory thereto shall be paid by the Company.

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