ANNO SECUNDO

GULIELMI IV. REGIS.

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Cap. XXXV.

An Act for making and maintaining a Railway from the *Cavehill* to the Harbour of *Belfast* in the County of *Antrim*. [9th *April* 1832.]

WHEREAS there are extensive Quarries of Limestone and other Stone at and near the *Cavehill* in the Townland of *Ballyaghagan* in the Parish of *Belfast* and County of *Antrim*, and the making and maintaining a Railway, with proper Works and Conveniences adjoining thereto or connected therewith, for the Passage of Waggons and other Carriages from the said Quarries to the Town and Harbour of *Belfast*, will be a Work of great public Utility and Advantage, by opening a cheap, convenient, and expeditious Communication for the Conveyance of Limestone and other Materials to the said Town and Harbour, and Parts adjacent thereto: And whereas the several Persons herein-after named are willing and desirous, at their own Expence, to make and maintain such Railway; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That the Right Honourable *George Hamilton Chichester* commonly called the Earl of *Belfast*, Sir *Arthur Chichester* Baronet, Sir *Stephen May*, *Edward Southwell Ruthven* and *John Wallace* Esquires, and all and every other Person or Persons, Body or Bodies Politic and Corporate, who shall hereafter become Subscribers to the said Undertaking for establishing the said Railway, and their

Company incorporated.

several and respective Successors and Assigns, shall be and are hereby united into a Company for making and maintaining the said Railway and Works incident thereto and to be connected therewith, according and subject to the Rules, Regulations, and Restrictions herein-after mentioned and provided; and for that Purpose shall be One Body Corporate, and shall be known as such by the Name and Style of "The *Belfast* and *Cavehill* Railway Company," and by that Name shall have perpetual Succession and shall have a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity; and the said Company shall have full Power and Authority, from Time to Time and at all Times, to purchase and hold Lands and Hereditaments to them and their Successors and Assigns, for the Use of the said Undertaking and Works, and also to sell and dispose of the said Lands and Hereditaments again in manner by this Act directed, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Company empowered to make Railway.

II. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make and maintain a Railway or Railways passable for Waggons and other Carriages, and also a public Road or Highway parallel therewith, from the *Cavehill* aforesaid to the Port and Harbour of *Belfast* aforesaid; and to make, form, improve, and maintain a Shipping Place at the Port aforesaid; and for the Purposes of this Act to enter into and upon the Lands and Grounds of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate whatsoever, according to the Directions and Provisions of this Act, and to survey and take Levels of the same or any Part thereof, and to set out, ascertain, and appropriate, for the Purposes herein mentioned, such Parts thereof as they shall think necessary and proper for making, forming, or altering the said Railway or Railways, and all such other Works, Matters, and Conveniences as shall be necessary for making, effecting, preserving, improving, completing, maintaining, repairing, and using, and for the Conveyance of Goods into and out of the said Railway, Road, and other Works, and for those Purposes to bore, dig, cut, trench, sough, get, raise, remove, take, carry away, lay, use, and manufacture any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Materials or Things which can or may be dug, raised, or gotten in making or forming the said Railway or Railways, Road and other Works, out of the Lands or Grounds of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, adjoining or contiguous to such Railway, and which may be proper, requisite, or necessary for making, forming, carrying on, continuing, maintaining, altering, or repairing the said Railway or Railways, Road and other Works, or which may hinder or obstruct the making, forming, using, completing, extending, or maintaining the same respectively; and also to place, lay, work, or manufacture the Materials necessary for the making, forming, erecting, maintaining, and repairing the said Railway or Railways, Road, and other Works, on the Lands or Grounds adjoining to the Place or Places where the said Works or any of them shall be or are intended to be made, executed, repaired, or done; and also to make, maintain, repair, and alter any Fences or Passages over, under, or through the said Railway or Railways and Road; and also to make, set out, and appoint such Roads and Ways, convenient

for hauling or drawing of Waggons and other Carriages passing upon the said Railway or Railways, with Men or Horses, or otherwise, and proper Places for Waggons and other Carriages to turn, lie, or pass each other, as the said Company shall think convenient; and to construct, erect, and keep in repair any Tunnels, Bridges, Piers, Arches, and other Works, in, upon, and across any Rivers or Brooks, or elsewhere, necessary for the making, forming, preserving, improving, completing, using, maintaining, and repairing the said Railway or Railways and other Works; and to construct, erect, make, and do all other Matters and Things which they shall think convenient or necessary for the making, forming, altering, preserving, improving, completing, maintaining, and using the said Railway or Railways and other Works to be made, formed, or constructed in pursuance and according to the Intent and Meaning of this Act, doing as little Damage as may be in the Execution of the several Powers hereby granted, and making full Satisfaction, in manner herein-after mentioned, to the Owners and Proprietors of and all Persons interested in any Lands, Tenements, or Hereditaments which shall be taken, used, or removed, diverted or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted.

Width of Railway.

III. And be it further enacted, That the Distance between the inside Edges of the said Railway shall not be less than Four Feet Eight Inches, and the Distance between the outside Edges of the said Railway shall not be more than Five Feet One Inch.

Crossing of Roads.

IV. Provided always, and be it further enacted, That where the said Railway shall cross any public Highway the Ledge or Flanch of such Railway for the Purpose of guiding the Wheels of the Carriages thereupon shall not rise above nor sink below the Level of such Road more than One Inch.

Regulations as to Bridges for carrying Railway over public Roads.

V. Provided also, and be it further enacted, That where any Bridge shall be erected for the Purpose of carrying the said Railway over or across any Turnpike Road or public Highway, the Span of the Arch of such Bridge shall be formed and shall at all Times be and be continued of such Width as to leave a clear and open Space under every such Arch of not less than Fifteen Feet, and of a Height from the Surface of such Turnpike Road or public Highway to the Centre of such Arch of not less than Sixteen Feet, and the Descent under any such Bridge shall not exceed One Foot in Thirty-two Feet.

Regulating Ascent to Bridges for carrying public Roads over Railway.

VI. Provided always, and be it further enacted, That where any Bridge shall be erected for carrying any public Carriage Road over the said Railway the Ascent of every such Bridge for the Purpose of such Road shall not be more than One Foot in Thirteen Feet; and a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

Where Railway crosses public Highways on a Level, Gates to be erected at each Side.

VII. And be it further enacted, That in all Cases wherein the said Railway shall cross any Highway on a Level the said Company shall erect and at all Times maintain a good and sufficient Gate on each Side of such public Highway where the said Railway shall communicate therewith, which Gate shall be constantly kept shut, except during the Times when

when Waggons and other Carriages passing along the said Railway shall have to cross such public Highway, and then the same shall be opened for the Purpose only of letting such Waggons and other Carriages pass through; and the Driver or Person intrusted with the Care of any Waggon or other Carriage, or with any Train of Waggons or other Carriages, shall cause every such Gate to be shut as soon as such Waggons or other Carriages shall have passed through, under the Penalty of Five Shillings for every Default therein.

In case of Injury to Roads.

VIII. Provided also, and be it further enacted, That in all Cases where, in the Exercise of any of the Powers hereby granted, any Part of any Carriage or Horse Road, either public or private, shall be found necessary to be cut through, raised, sunk, taken, or so much injured as to be impassable or inconvenient for Passengers or Carriages, or to the Persons entitled to the Use thereof, the said Company shall at their own Expence, before any such Road shall be so cut through, raised, sunk, taken, or injured as aforesaid, cause a good and sufficient Carriage or Horse Road, as the Case may require, to be set out and made instead thereof, as convenient for Passengers and Carriages as the Road to be cut through, raised, sunk, taken, or injured as aforesaid, and shall cause the same to be put into good and substantial Order and Condition, where the former Road cannot more easily be restored; and where the Road cut through, raised, sunk, or injured shall be a Turnpike Road, the temporary Road shall be so made and the principal Road restored within Six Calendar Months after the Commencement of the Operation; and the Railway, where it shall cross such Turnpike Road, shall be made and kept in repair so as to prevent so far as may be practicable any Inconvenience or Obstruction to the Passage along such Turnpike Road.

Plan and Book of Reference deposited with the Clerk of the Peace to be open for Inspection.

IX. And whereas a Survey has been taken of the Line of the said Railway, and a Map or Plan, with a Book of Reference thereto, describing the same, has been made, and deposited with the Clerk of the Peace for the County of *Antrim;* be it therefore enacted, That the said Map or Plan, and Book of Reference thereto, shall remain deposited with the Clerk of the Peace for the said County, to which Map or Plan and Book of Reference all Persons shall have Liberty to resort, and to examine and make Extracts from or Copies of the same, as Occasion shall require, paying to the said Clerk for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan and Book of Reference, or true Copies thereof, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Amended Plan and Book of Reference to be deposited.

X. And whereas since the depositing of the said Map or Plan and Book of Reference an Alteration of the Line of the said Railway laid down upon such Map or Plan hath been agreed upon and determined, at the Request and with the Concurrence of divers of the Owners and Occupiers of the Lands through which such Deviation is to be made; be it therefore enacted, That a Map or Plan describing the said Railway as the same hath been agreed to be deviated and altered, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, shall, together with a Copy of an amended Book of Reference for such Deviation, be deposited with the Clerk of the Peace of the County of *Antrim*,

Antrim, to the end that all Persons may at seasonable Times have Liberty to inspect the said Map or Plan so deposited, and to take Copies thereof or Extracts therefrom, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection, and for Copies of and Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan and Book of Reference, or any Copy thereof, or of so much or such Part or Parts thereof as shall relate to any Matter or Thing in question, certified by the said Clerk of the Peace or his Deputy to be a true Copy, shall and is hereby declared to be good Evidence in all Courts of Law and elsewhere.

Omissions or Misnomers in Book of Reference not to obstruct the making of Railway.

XI. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Railway or Railways and other Works upon, in, over, or through the Lands, Tenements, Hereditaments upon, in, over, or through which such Railway is delineated on the said last-mentioned Map or Plan, although such Lands, Tenements, or Hereditaments, or any of them, or the Situation thereof respectively, or the Name of the Owners or of the Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule hereto, or in the said Book of Reference, if it shall appear to any Two or more Justices of the Peace for the said County of *Antrim* (in case of Dispute about the same), and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace, as the Case may require.

Not to deviate more than 100 Yards;

XII. And be it further enacted, That the said Company, in making the said intended Railway and other Works, shall not deviate more than One hundred Yards from the Course or Direction delineated in the said last-mentioned Map or Plan.

nor without Consents of R. Thomson and A. Pinkerton Esqs. on their Lands.

XIII. And be it further enacted, That no Deviation shall be made from the Course delineated on the said last-mentioned Plan or Map in the Lands of *Robert Thomson* Esquire and *Andrew Pinkerton*, their and each of their Heirs or Assigns, without the Consent of the said *Robert Thomson* and *Andrew Pinkerton*, their Heirs or Assigns.

Houses and Gardens not to be used, unless specified in Schedule.

XIV. Provided also, and be it further enacted, That nothing herein contained shall authorize the said Company or any other Persons to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built on or before the First Day of *January* last, or any Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, without the Consent in Writing of the Owner or Proprietor thereof, or other Persons interested therein respectively, other than and except such as are specified in the Schedule to this Act annexed.

If Railway, &c. not completed in Five Years, Powers to cease.

XV. Provided always, and be it further enacted, That in case the said Railway and other Works shall not have been made within the Space of Five Years, to be computed from the passing of this Act, unless pre-

prevented by unavoidable Accident, then from and after the Expiration of the said Term of Five Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much, if any, of the said Railway and Works as shall have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said County assembled at any Quarter Sessions of the Peace to be holden in and for the said County at any Time before the Expiration of the said Term of Five Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of One or more Witness or Witnesses upon Oath, to be produced before them for that Purpose.

If Company do not purchase Lands within Three Years, Power of taking Lands to cease.

XVI. Provided also, and be it further enacted, That unless the said Company shall within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as in this Act is mentioned, the Lands, Tenements, and Hereditaments which they are by this Act empowered to take or use (or otherwise so much thereof as shall be by them deemed necessary and proper) for the Purposes of making the said Railway or other Works hereby authorized, then and from thenceforth the Powers which are hereby granted to them for taking or using such Lands, Tenements, or Hereditaments shall cease and be utterly void.

If Railway abandoned, Lands to revert to Persons of whom purchased.

XVII. Provided also, and be it further enacted, That if the said Railway or any Part thereof shall at any Time hereafter be abandoned or given up by the said Company, and after the same shall have been completed shall for the Space of Five Years cease to be used and employed as a Railway, then and in such Case the Lands, Tenements, and Hereditaments so purchased or taken by the said Company for the Purposes of this Act, or otherwise the Part or Part thereof over which the said Railway, or any Part or Portion of such Railway which shall be so abandoned or given up by the said Company, shall pass, shall vest in the Owner or Owners of the Land adjoining that which shall be so abandoned or given up in manner following; (that is to say), a Moiety thereof in the Owner or Owners of the Land on the one Side, and the Remainder thereof in the Owner or Owners of the Land on the other Side thereof.

Limekilns not to be erected without Consent.

XVIII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Company, without the Consent in Writing of the Owners and Occupiers thereof, to enter into or upon any Ground, except such as may be requisite for the forming, making, and maintaining the Railway and other Works which are by this Act authorized, nor to erect any Limekilns, nor to cut, remove, take, or carry away any Trees from the Lands of any Person or Persons whatsoever, except upon the Line of the Railway and Works.

Road to be made.

XIX. And whereas a Road or Highway to run parallel with said Railway would be of great Advantage to the Owners and Occupiers of Lands on the Line of the proposed Railway, and to the Public at large, and the said Company have agreed to make the said Road at their own proper Costs and Charges; be it therefore enacted, That the said Company shall and they are hereby required, within Five Years next after the passing of this Act, at their own proper Costs and Charges, to make a good Road or High-

way

way commencing at the proposed Shipping Place in the Ground of Messieurs *Holmes* and *Dunbar*, and running from thence on the South-west Side of the said Railway, and parallel thereto, to the new *Antrim* Road, and from thence running on the opposite Side of the said Railway, and parallel thereto, to the *Crumlin* Road; and such Road or Highway shall be made and completed in a good and substantial Manner, with all necessary Bridges, Arches, Culverts, Drains, Fences, and Gates, and with a good and sufficient Footpath; and such Road or Highway shall be Thirty-two Feet wide, including the said Footpath, and shall be constructed with Ten tons Bottoming and Six Tons of broken Stone to the *English* Perch, the said Perch being estimated, deemed and taken to be Five Yards and One Half in Length; and the said Railway shall not be used for the Carriage of any Matter or Thing other than Materials for making the Works hereby authorized, till the said Road or Highway shall have been completed: Provided always, that nothing herein contained shall be construed to compel the Grand Jury of the County of *Antrim* aforesaid to keep and maintain the said Road in Repair.

Certain Part of Ground for Road and Railway to be free of Price.

XX. Provided always, and it is hereby further enacted, That the said Company shall not be compellable to make the said Road or Highway, nor shall any thing herein prevent the free Use of the said Railway although the said Road may not be made, if *Robert Thomson* Esquire, Mrs. *Edward May*, and *Andrew Pinkerton*, their and each of their Heirs, Executors, and Administrators, Under-tenants, and Assigns, shall not, by some Instrument to be prepared by and at the Costs of the said Company, well and faithfully convey and assign to the said Company, within Three Months next after Demand in Writing shall have been made by the Clerk of the said Company, so much and such Part of the Land necessary for making the aforesaid Railway and also the said Road and Highway, as they or any of them are seised of or otherwise entitled unto, or the Estate and Interest of the said *Robert Thomson*, Mrs. *Edward May*, and *Andrew Pinkerton*, and their Under-tenants, Heirs, and Assigns respectively therein, free of all Charge for Purchase Money or Price; but the said Company shall purchase and pay for all Land that may be required for the Purposes of Toll Houses or Sites for Stones and other Purposes.

Holmes and Dunbar to convey certain Ground free of Price.

XXI. And it is hereby further enacted, That nothing herein contained shall compel the said Company to make the said Road or Highway through or over the Lands of *Dunbar* and *Holmes*, or prevent the free Use of the said Railway although such Part of the said Road may not be made, if the said *Dunbar* and *Holmes*, their Heirs or Assigns, shall not, within Three Months from the passing of this Act, convey and assign to the said Company the Land required for making the said Road and Railway in, through, and over their Lands and Grounds, free, in like Manner, of all Charge for Purchase Money or Price; but the said Company shall purchase and pay for such Land as may be required for the Purpose of a Shipping Place.

Breadth of the Land to be taken.

XXII. And be it further enacted, That the Lands and Grounds to be taken or used for making and using the said Railway and Road shall not exceed Twenty Yards in Breadth, without the Consent of the Owners and Occupiers of such Lands and Grounds, except in those Places where it shall be found necessary to raise Embankments for crossing the Valleys,

or

or, in deep Cuttings, in which Cases the said Company may take sufficient Land and Ground to make the Railroad of the Width of Twenty-four Feet on a level Surface, and also to make the Road or Highway of the Width herein-before provided, and except also in such Places where it shall be necessary for Carriages and Waggons to turn or pass each other, in which Places Ten Yards additional in Width may be taken.

Ground for Depots.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Company to take a Piece or Parcel of Land for a Shipping Place on the Grounds occupied by *Holmes* and *Dunbar*, and also to take Three other Pieces or Parcels of Ground as Sites for Deposit of Stone and other Purposes, which Sites shall not exceed Half an Acre each, and Three other Sites sufficient for the Erection of Toll Houses.

Railway to be Fifty Feet from May's Embankment.

XXIV. And be it further enacted, That the said Railway shall not, without the Consent in Writing of Mrs. *Edward May*, her Heirs and Assigns, be laid at any Distance less than Fifty Feet from the Top of the Embankment at the *Mile Water*, nor out of the Course or Direction delineated in the said last-mentioned Map or Plan through her Lands.

Steam Engines to consume their own Smoke.

XXV. And be it further enacted, That the Furnace of every Steam Engine to be erected or built by the said Company, and also every locomotive or moveable Engine that shall at any Time hereafter be used upon the said Railway or any Part thereof, shall be constructed upon such a Principle as shall enable it to consume its own Smoke.

Bodies Politic, &c. empowered to sell and convey Lands.

XXVI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Lords or Ladies of Manors, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, Administrators, and all other Tenants and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right or entitled to any Interest therein, and to and for all and every other Person or Persons whomsoever who is or are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments required for the Purposes of this Act, or any of them, to contract for, sell, and convey the same, and every or any Part thereof, unto the said Company; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all other Persons, so conveying as aforesaid, are hereby indemnified for what they shall respectively do by virtue hereof; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company, and shall be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (namely,)

'I Sum of of in consideration of the to me [*or, as the Case may be,*] into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, *ex parte* the *Belfast* and *Cavehill* Railway Company, pursuant to the Act after mentioned, paid by the said Company established and incorporated by an Act passed in the Second Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*], do hereby grant and alien to the said Company, their Successors and Assigns, all [*describing the Premises to be conveyed*], together with all Ways, Rights, and Appurtenances thereunto belonging, and all such Estate, Right, Title, and Interest to the same and every Part thereof as I am or shall become seised or possessed of, or am by the said Act capacitated or empowered to convey; to hold the Premises to the said Company, their Successors and Assigns for ever, according to the true Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal, the Day of in the Year of our Lord .' Form of Conveyance.

And all such Conveyances and Assurances as aforesaid shall be valid and effectual in the Law to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Estates, Interest or Interests so thereby conveyed or alienated, and to bar and destroy all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever.

XXVII. And be it further enacted, That all Bodies and other Parties herein-before capacitated to sell and convey any Lands, Tenements, or Hereditaments, and the respective Owners and Occupiers of any Lands, Tenements, or Hereditaments through, under, in, or upon which the said Railway or other Works hereby authorized are intended to be made, may accept and receive Satisfaction for the Value of such Lands, Tenements, and Hereditaments, or the Interest or Interests therein by them, him, or her conveyed, and also Compensation for any Damage by them sustained by reason of the Execution of any of the Works by this Act authorized, and also by reason of the severing or dividing such Lands, Tenements, or Hereditaments, and also for and on account of any Damage, Loss, or Inconvenience which may be sustained by such Bodies or other Parties by reason of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners, including Persons hereby capacitated as aforesaid, and Occupiers respectively, and the said Company; and in case the said Company and such Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, or Compensation, the same respectively, or either of them, concerning which they do not so agree, shall be ascertained and settled by the Verdict of a Jury, if required, as herein-after is directed. Satisfaction to be made for Lands taken for the Railway.

XXVIII. Provided also, and be it further enacted, That in ascertaining the Money to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be taken or used for the Purposes of this Act, the Jury shall also ascertain and assess the Compensation and Satisfaction to be made by the said Company for any Damage which shall or may be sustained by any Bodies Politic, Corporate, or Collegiate, or by any Persons, being respectively Value of Lands and Damages to be ascertained separately.

spectively Owners or Occupiers of or interested in such Lands, Tenements, or Hereditaments, for or by reason of the severing or dividing the same from other Lands, Tenements, or Hereditaments whereof, wherein, or whereto any such Body or Person as aforesaid shall be seised, possessed, interested, or entitled, and also for or on account of any Injury or Loss whatsoever which shall or may accrue to or be sustained by such Body or other Person by reason of the Execution of any of the Powers of this Act; such Damages, Compensation, and Satisfaction to be settled and ascertained separately and distinctly from the Value of the Lands, Tenements, and Hereditaments so to be taken or used as aforesaid.

Compensation Money to be apportioned.

XXIX. And be it further enacted, That the said Juries shall and they are hereby respectively empowered, if thereunto required, to settle what Shares and Proportions of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest in the Premises, for his or her Interest therein.

Differences respecting Price of Land or Damages to be settled by a Jury.

XXX. And be further enacted, That in case of any Difference of Opinion between the said Company and any Body Politic, Corporate, or Collegiate, Trustees, or other Person interested in or entitled to any Lands, Tenements, or Hereditaments, relative to the Price or Value, Damages or Recompence, to be given for the same, to be taken or used for the Purposes of this Act, and in case such Price or Value, Damages or Recompence, cannot be settled, adjusted, or agreed for, or if any such Body Politic, Corporate, or Collegiate, Trustees, or any other Person interested or entitled as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase Money or Recompence as shall be offered to be paid by the said Company, or shall, for the Space of Fourteen Days next after Notice in Writing given to the principal Officer of any such Body Politic, Corporate, or Collegiate, or to such Trustees or Person respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands, Tenements, or Hereditaments required for the Purposes of this Act, neglect or refuse to treat, or if any Person shall, by Absence or otherwise, be prevented from treating, and shall not, within the before-mentioned Space of Fourteen Days, produce and fully disclose the State of the Title to the Premises which he is or shall be in Possession of, and to the Interest which he claims therein, then and in every such Case the said Company shall and they are hereby empowered and required to issue a Warrant to the Sheriff of the County of *Antrim*, commanding such Sheriff to impannel, summon, and return a Jury, and the said Sheriff is hereby required accordingly to impannel, summon, and return a Jury of at least Forty-eight sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Dublin*, and in case a sufficient Number of Jurymen shall not appear at the Time and Place to be appointed, such Sheriff shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said

Sheriff or his Deputy, is hereby empowered and required to summon or call before him all and every Person or Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matter in question, and may order and authorize the said Jury, or any Five or more of them, to view the Place or Places, or Matter or Matters in controversy; and such Jury upon their Oaths (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered to administer,) shall enquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands, Tenements, or Hereditaments, or the Recompence to be made for the Damage which shall or may be sustained as aforesaid; and the said Sheriff shall accordingly give Judgment for such Purchase Money or Recompence so to be assessed by such Jury; which said Verdict, and the Judgment thereupon, shall be binding and conclusive, to all Intents and Purposes, against all Bodies Politic, Corporate, or Collegiate, Trustees, and all other Persons whatsoever.

Verdicts to be recorded.

XXXI. And be it further enacted, That all the said Verdicts and Judgments shall be kept by the Clerk of the Peace for the said County among the Records of the Quarter Sessions for such County, and shall be deemed Records to all Intents and Purposes, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling and no more, and also to take and make Copies thereof, paying for each Copy after the Rate of Sixpence for every One hundred Words.

Penalty on Sheriff, Jurors, or Witnesses making Default.

XXXII. And be it further enacted, That if the said Sheriff or his Deputy shall make Default in the Premises he shall for every such Offence forfeit and pay the Sum of Fifty Pounds, and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or, being of the Society of Persons called *Quakers*, to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his or her Costs and Expences, or appearing shall refuse to be sworn or to give Evidence, every Person so offending, having no reasonable Excuse (to be judged of and determined by the said Sheriff or Under Sheriff), shall forfeit and pay for every such Offence, for the Benefit of the Party for whom and on whose Account such Jury or Witness shall be summoned, any Sum not exceeding Ten Pounds, to be levied, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County, by Distress and Sale of Goods and Chattels of the Person so offending, rendering to him or her the Overplus of the Money thereby produced, after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

Jurors to be under the same Regulation as those of the Courts of Record at Dublin.

XXXIII. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Dublin;* and all Persons who in any Examination to be taken by virtue of this Act upon their

their Oath, or, being of the Society of Persons called *Quakers*, upon their solemn Affirmation, shall wilfully and corruptly give false Evidence before any such Jury, Sheriff, Under Sheriff, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to the Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject.

By whom Expences of Juries shall be paid.

XXXIV. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Company for the Purchase of any Lands, Tenements, or Hereditaments, to be used or taken by them for the Purposes of this Act, or as Compensation for any Damage or Loss which may happen or arise in the Execution of any of the Powers hereby granted, all the Costs of summoning such Jury, and the Expences of Witnesses, shall be defrayed by the said Company, and such Costs and Expences shall be settled and determined by the said Sheriff or Under Sheriff; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels of the said Company, under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Antrim* not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; but if the Verdict of the Jury be given for a less Sum than shall have been previously offered by the said Company, one Moiety of the Costs and Expences shall be defrayed by the Party with whom the said Company shall have such Controversy or Dispute, and the Remainder shall be defrayed by the said Company; and the former Moiety of such Costs and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money adjudged to be paid to such Party as aforesaid as so much Money advanced to and for his or her Use, and the Payment or Tender of the Remainder of the Money so adjudged shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender in satisfaction of the whole thereof: Provided always, that in Cases where by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Company.

Persons requesting Juries to enter into Bonds to prosecute their Complaints and pay Expences.

XXXV. And be it further enacted, That all Parties with whom the said Company shall have any such Dispute shall at their own Costs, before the said Company shall be obliged to issue out their Warrant for summoning of such Jury, enter into a Bond with Two sufficient Sureties to the said Company in a Penalty of One hundred Pounds to prosecute his, her, or their Complaint, and to bear and pay his, her, or their Proportion of the Costs and Expences of summoning and returning such Jury and taking such Verdict, and of the summoning and of the Attendance of Witnesses, in case any Part of such Costs and Expences shall fall upon them.

XXXVI. And

Power to enter and take Possession of Lands, &c. on Payment or Tender of Purchase Money.

XXXVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in manner aforesaid, for the Purchase of any such Lands, Tenements, or Hereditaments, or as a Compensation for Damages, to the Proprietor or Proprietors of such Lands, Tenements, or Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled or enabled as aforesaid to receive such Money or Compensation respectively, within Thirty Days after the same shall have been so agreed for, determined, or awarded, and in case of Refusal to accept the same, upon Payment of the said Sum or Sums of Money into the Bank of *Ireland*, within Thirty Days after the same shall have been so contracted or agreed for as aforesaid, for the Use of the Person or Persons entitled thereto, it shall and may be lawful to and for the said Company, his and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and Hereditaments respectively, and then and thereupon such Lands, Tenements, and Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Company to and for the Purposes of this Act for ever.

Tenants from Year to Year to deliver Possession on Six Months' Notice.

XXXVII. And be it further enacted, That all Tenants at Will, Lessees for a Year, and other Persons, in Possession of any Lands, Tenements, or Hereditaments through, in, under, or upon which the said Railway and other Works hereby authorized to be made are intended to pass or be made, and who shall have no greater Interest in the Premises than as Tenants at Will or Lessees for a Year, or from Year to Year, shall respectively deliver up the Possession of such Premises to the said Company, or to such Persons as they shall appoint to take Possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Company to such respective Tenants or Lessees or Persons in Possession, or left upon the said Premises, whether such Notice be given with reference to the Time of the Commencement of such Tenant's holding or not, and whether such Notice be given before or after the said Premises shall be purchased by the said Company, or at such other Time after the Expiration of Six Calendar Months as they shall be respectively required; and in case any such Tenant or Lessee or Person so in Possession as aforesaid shall refuse to give up such Possession as aforesaid, it shall be lawful for the said Company to issue their Precept to the Sheriff of the County to deliver Possession of the said Premises to such Persons as shall in such Precept be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy and satisfy such Costs as shall accrue from the issuing and Execution of such Precept on the Person or Persons so refusing to give Possession, by Distress and Sale of his, her, or their Goods.

Interest of such Tenants to be settled by a Jury.

XXXVIII. Provided also, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up Possession of any Premises so occupied by him or her, before the Expiration of his or her Term or Interest therein, the said Company shall and they are hereby required to make or tender unto such Tenant or Lessee, before they shall issue their Precept to the Sheriff to give Possession of the Premises

in the Occupation of such Tenant or Lessee, Satisfaction or Compensation for the Value of his or her unexpired Term or Interest in the said Premises; which Satisfaction or Compensation, in case of Difference, shall be ascertained and determined in the same Manner as any other Satisfaction or Compensation for any Lands, Tenements, or Hereditaments taken or used by the said Company is by this Act directed to be made or determined.

Mortgages to be conveyed after Tender.

XXXIX. And be it further enacted, That all Persons having any Mortgage on any Lands, Tenements, or Hereditaments to be taken or used for the Purposes of this Act (not being in Possession thereof by virtue of such Mortgage), shall, on Tender of the Principal Money and Interest due thereon, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Company, immediately assign and transfer such Mortgage, Tenements, or Hereditaments to the said Company, or to such Persons as they shall appoint, or in case such Mortgagee shall have Notice in Writing from the said Company that they will pay off the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months (to be computed from the Day of giving such Notice), then, at the End of such Six Calendar Months, on the Payment of such Principal Money and Interest so due, together with any just Costs then due, such Mortgagee shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Company; and in case such Mortgagee or Mortgagees shall refuse to assign and transfer as aforesaid, on such Tender or Payment, then all Interest on every such Mortgage Debt shall from thenceforth cease and determine: Provided always, that in case the Sum due on such Mortgage shall amount to more than the real Value of the Premises to be taken or used for the Purposes of this Act, or otherwise of the Estate or Interest then mortgaged, and which shall be ascertained in manner herein-before directed, the said Company shall not be liable to pay to such Mortgagee more than the real Value of such Premises or Estate or Interest so mortgaged, or than the Residue thereof after such Allowance and Payment thereout to any Lessee or Tenant, as herein-before directed, occupying or holding the Estate or Interest so in mortgage: Provided also, that in case any such Mortgagee shall neglect or refuse to assign or transfer as aforesaid, then, upon Payment of the Principal Money and Interest and the Cost (if any) due on any such Mortgage as aforesaid into the Bank of *Ireland*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, or, in lieu of such Notice, and in addition to the said other Monies, Six Calendar Months Interest in advance, for the Use of such Mortgagee, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the said Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in Trust for him or her, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the Premises and Estate comprized in such Mortgage to all Intents and Purposes whatsoever: Provided also, that if such Mortgage shall comprise any other Lands, Tenements, or Hereditaments than those which shall be so taken or used by the said Company, such Mortgagee shall, upon Payment of the Sum so ascertained to be the Value of the said Lands, Tenements, or Hereditaments

ments as aforesaid, forthwith assign and transfer his or their Interest in such Lands, Tenements, and Hereditaments to the said Company; and in default of such Assignment or Transfer, and on Payment of such Money in the Bank of *Ireland*, for the Use of such Mortgagee, the Cashier of the said Bank shall give such Receipt as above mentioned, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in Trust for him or her, in the said Lands, Tenements, or Hereditaments the Value whereof, or of the Estate or Interest therein mortgaged, shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Company, and they shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever; and such Sums of Money shall be deducted from the Amount of the Money due to such Mortgagee by virtue of such Mortgage.

Directing in what Manner Disputes between the said Company and certain Mortgagees shall be settled.

XL. And be it further enacted, That in all Cases where a Part only of any Lands, Tenements, or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, and the Mortgagee thereof shall not consider the remaining Part of such Lands, Tenements, or Hereditaments to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due or to become due thereon, and all Costs, the Value of such Part of the said Lands, Tenements, or Hereditaments as shall be so required for the Purposes aforesaid, or (as the Case may be) of the Estate or Interest therein mortgaged, and also the Compensation (if any) for any Damage done, shall be settled and agreed upon by and between such Mortgagee and the Person or Persons entitled to the Equity of Redemption of such Lands, Tenements, or Hereditaments, on the one Part, and the said Company on the other Part, and in case of any Difference between them, then such Price or Value and Compensation shall be ascertained and assessed by the Verdict of a Jury in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee in satisfaction of his or her Claim, so far as the same will extend, or in case of his or her neglecting or refusing to assign or transfer, as herein-before directed, then into the Bank of *Ireland*, as by this Act is provided; and such Payment to the Mortgagee, or in the Bank, as last aforesaid, shall be and be accepted in satisfaction of the Claim of such Mortgagee, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon: Provided nevertheless, that notwithstanding any thing herein-before contained all such Mortgagees shall have the same Powers and Remedies for recovering and compelling Payment of their Mortgage Money, or the Residue thereof, (as the Case may be,) or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands, Tenements, or Hereditaments not required for the Purposes aforesaid, as they would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands, Tenements, or Hereditaments originally comprised in such Mortgage.

XLI. And

Application of Compensation Money when amounting to 200*l.*

XLI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be taken or used by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there "*ex parte* the *Belfast* and *Cavehill* Railway Company," according to the General Orders of the said Court, and without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court made upon Petition to be presented to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Quit Rent or Crown Rent, or in or towards the Discharge of any Debt or other Incumbrance affecting the said Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes as the said Court of Chancery shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Order can be made the said Money may, by Order of the said Court upon Application thereto, be invested by the Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold or called in or cancelled, for the Purposes aforesaid, the Dividends or Interest and annual Produce thereof shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased and settled.

Application when Money is less than 200*l.*

XLII. Provided always, and be it further enacted, That if any Money agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be taken and used for the Purposes of this Act, and belonging to any Corporation, or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, then the same

same shall, at the Option of the respective Persons for the Time being entitled to the Rents and Profits of the Lands and Tenements or Hereditaments so purchased, taken, or used, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Company, signified in Writing under their Common Seal, be paid into the said Bank of *Ireland*, in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the respective Persons exercising such Option, such Nomination being approved of by the said Company, and such Nomination and Approbation to be signified in Writing under the Hands or Common Seals of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall by such Trustees be applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *Ireland* in the Name of the Accountant General of the Court of Chancery, but without being required to obtain any Order of the said Court touching the Application thereof.

Application when Money is less than 20*l*.

XLIII. Provided also, and be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before mentioned shall be less than Twenty Pounds, then the same shall be paid to the respective Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so taken or used for the Purposes of this Act, for their own Use and Benefit; or, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to their respective Husbands, Guardians, Committees, or Trustees, to and for the Use and Benefit of the Persons respectively entitled thereto.

Directing how Money is to be paid in case of Failure of Title.

XLIV. And be it further enacted, That in case any Person to whom any Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be taken or used under and by virtue of the Powers of this Act shall refuse to accept the same, or shall refuse, neglect, or be unable to make a good Title to the Premises to the Satisfaction of the said Company, for the Purposes of this Act, or shall be absent from *Ireland*, or cannot be found, or if any Person entitled unto or to convey such Lands, Tenements, or Hereditaments be not known or discovered, or be not shewn to the Satisfaction of the said Company, or be absent from *Ireland*, then and in every such Case it shall be lawful for the said Company to order the Money so awarded as aforesaid to be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands and Tenements or Hereditaments (describing them so far as the said Company can do so), subject to the Controul and Disposition of the said Court; which said Court, on the Application of any Person making claim to such Money or any Part thereof, by Petition, is hereby empowered, in a summary Way of Proceeding, as to such Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according

to the respective Estates, Title, or Interests of the Parties making claim thereunto, and to make such other Order in the Premises as to the Court shall seem proper; and the Cashier of the Bank of *Ireland* who shall receive such Money is hereby required to give a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received, to the said Company or Person paying any Money into the Bank of *Ireland* under or pursuant to this Act.

Person in Possession presumptively entitled.

XLV. Provided always, and be it further enacted, That when any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be taken or used in pursuance of this Act, for the Purpose aforesaid, or to any Annuities or Securities to be purchased with any such Money as aforesaid, or to the Dividends or Interest of any such Annuities or Securities, the Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Persons, shall be deemed to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the Satisfaction of the said Court that such Possession was a wrongful Possession, and that some and what other Person or Persons was or were lawfully entitled to such or to some and what Part of such Lands, Tenements, or Hereditaments, or to some and what Estate or Interest therein.

The Court may order reasonable Expences of Purchasers to be paid.

XLVI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands, Tenements, or Hereditaments to be taken or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *Ireland*, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all such Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company out of the Monies to be received by virtue of this Act; and the said Company shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Enabling the Company of Proprietors to sell Lands not wanted.

XLVII. And whereas by means of the Purchases which the said Company are empowered and are required to make by virtue of this Act they may happen to be seised of more Lands, Tenements, or Hereditaments than will be necessary for effecting the Purposes of this Act, or of Lands, Tenements, or Hereditaments not wanted or not applicable to the Purpose hereof; be it therefore enacted, That it shall be lawful for the said Company to sell, and, by any Deed under their Common Seal, to convey any Part of such Lands, Tenements, or Hereditaments, or of any Estate or

Interest purchased by the said Company in such Lands, Tenements, or Hereditaments, or any Part thereof, either together or in Parcels, by public Auction, or by private Contract as they shall deem most advantageous, to such Persons as shall be willing to contract for and purchase the same; and such Conveyances from the said Company shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom to the contrary notwithstanding: Provided always, that the said Company shall first offer to sell such Lands, Tenements, or Hereditaments to the Person, or to the Persons successively, in such Order as the said Company shall deem meet, whose Lands or Premises shall immediately adjoin the Lands, Tenements, or Hereditaments so proposed to be sold; and such Persons, in case they shall be desirous of purchasing the same, shall signify such their Desire and Intention in that Behalf to the said Company within Thirty Days after such Offer shall have been made; and in case such Persons shall refuse or decline to avail themselves of such Offer, or shall neglect or omit to signify their Desire and Intention to purchase such Lands, Tenements, or Hereditaments for the Space of Thirty Days, an Affidavit, made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before any Justice of the Peace for the said County of *Antrim*, by some Person not interested in the said Lands, Tenements, or Hereditaments, stating that such Offer was made by or on behalf of the said Company, and that such Offer was refused or declined or was not accepted or agreed to by the Person or Persons to whom the same was made within the Space of Thirty Days from the Day or Time of making the same, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was refused and declined or was not accepted and agreed to within the Time aforesaid (as the Case may be), by the Person or Persons to whom such Offer was made; and in case such Person or Persons shall be desirous of purchasing the same, and he or she or they and the said Company shall not agree with respect to the Price thereof, then the Price thereof shall be ascertained by a Jury in the Manner by this Act directed with respect to the disputed Value of Premises to be purchased by the said Company in pursuance thereof; and the Expences of hearing and determining such Difference shall be borne and paid in like Manner as in this Act is directed with respect to Purchases made by the said Company, *mutatis mutandis*; and the Money produced by the Sale which may be made by the said Company of any such Lands, Tenements, and Hereditaments as aforesaid shall be applied to the Purposes of this Act.

First Offers to be made to Owners of adjoining Lands.

XLVIII. Provided always, and be it further enacted, That upon Payment of the Money which shall arise from the Sale of any such Lands, Tenements, or Hereditaments, or any Interest belonging to the said Company therein, or of any Lands, Tenements, or Hereditaments authorized by this Act to be sold by the said Company, or upon Payment of any Money under this Act, it shall be lawful for the Treasurer for the Time being to the said Company to sign and give Receipts for the Money so paid, which Receipts shall be sufficient Discharges to all Persons for the Purchase Money for such Lands, Tenements, or Hereditaments or Interests as shall be sold, or for so much thereof and for such Sums of Money as in such Receipts respectively shall be expressed to be received; and such Persons shall not afterwards be answerable or accountable for any Loss, Misap-

Treasurer on Payment of Money to give Receipts.

Misapplication, or Nonapplication of such Purchase Money or other Monies, or any Part thereof.

Company may purchase other Lands.

XLIX. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to contract with any Person, or any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, for the Purchase of any Lands, Tenements, or Hereditaments, (not exceeding in the whole Twenty Statute Acres, in addition to the Lands, Tenements, and Hereditaments herein-before authorized to be taken and used,) in such Places as shall be deemed eligible, for the Purpose of making and providing Yards, Wharfs, Warehouses, and other Buildings and Conveniences for the Purpose of receiving, depositing, or keeping any Goods, Merchandize, or other Things conveyed or intended to be conveyed upon the said Railway, or for making convenient Roads or Ways thereto, or for any other Purpose whatsoever, connected with the Undertaking by this Act authorized, which the said Company shall judge requisite; and it shall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, and all other Persons whomsoever, (including especially such or the like Corporations and Persons as are herein-before capacitated to sell and convey other Lands, Tenements, and Hereditaments for the Purposes of this Act,) to sell and grant or convey to the said Company and their Successors any Lands, Tenements, or Hereditaments whatsoever, for the Purposes mentioned in this Clause, or any of them, in the same Manner as is herein-before directed concerning Lands, Tenements, and Hereditaments to be taken or used for the Purpose of making and maintaining the said Railway and other Works.

The Land purchased not to exceed the prescribed Quantity.

L. And be it further enacted, That it shall be lawful for the said Company from Time to Time to sell and dispose of such additional Lands, Tenements, and Hereditaments as they are in the Clause last herein-before empowered to purchase and shall have actually purchased for the Purposes of this Act, or such Parts thereof as the said Company shall think proper, and either together or in Parcels, by public Auction or by private Contract, as shall be thought expedient, and again from Time to Time to contract for the Purchase of any other Lands, Tenements, or Hereditaments which the said Company shall deem more eligible for the Purposes aforesaid, and afterwards to sell and dispose of the same as aforesaid, so that the total Number of Quantity of Acres to be purchased and held by the said Company for any of the Purposes in the Clause last herein-before mentioned shall not exceed at any One Time the Quantity or Number of Acres for these Purposes expressly specified or allowed.

Restraining the Company from purchasing more than Twenty Acres of Land from incapacitated Persons.

LI. And whereas the said Company are enabled to purchase Twenty Statute Acres of Land by virtue of this Act for the Purpose of providing Yards, Wharfs, Warehouses, and other Buildings and Conveniences, in addition to the Lands, Tenements, and Hereditaments authorized to be used or taken for making the said Railway and other Works, and all Corporations and all Persons whomsoever are empowered to sell such Quantity or Number of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from any Corporation, Trustee, or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee,

Committee, or other Trustee for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenant for Life or in Tail, or Person to whom or for whose Benefit Lands are limited in strict Settlement, or other Person, being under legal Disability or Incapacity, and again purchasing other Lands from the same or from any other Corporation or Persons, being under legal Disability or Incapacity, in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company to purchase, from any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, or from any Tenant for Life or in Tail, or Persons to whom or for whose Benefit Lands are limited in strict Settlement, or other Person being under legal Disability or Incapacity, more than such Twenty Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Twenty Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or from the same, or of or from any other Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for Infants, Lunatics, Idiots, Femes Coverts, Cestuique Trusts, or Tenant for Life or in Tail, or Person to whom or to whose Benefit Lands are limited in strict Settlement, or other Person being under legal Disability or Incapacity, nor for the same or any other Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, or Tenant for Life or in Tail, or Person to whom or for whose Benefit Lands are limited in strict Settlement, or other Person being under legal Disability or Incapacity to sell to the said Company any other Land in lieu or instead of those Twenty Statute Acres or any Part thereof so sold or disposed of by the said Company.

The Word "grant" in Conveyances to amount to certain Covenants.

LII. And be it further enacted, That in all Conveyances to be made by the said Company under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to express "Covenants" to or with the Grantees therein, and the Successors, Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of the Grants therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Company, for themselves and their Successors, that they the said Company, notwithstanding any Act or Default done by them, were at the Time of the Execution of such Conveyances seised or possessed of the Lands, Tenements, and Hereditaments or Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted free from Incumbrances done or occasioned by them, that the Purchaser or Purchasers thereof, his, her, or their Heirs and Assigns, Successors and Assigns, or Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the said Company, their Successors and Assigns, and all claiming under them, and be indemnified and saved harmless by the said Company and their Successors from all Incumbrances committed by the

said Company, and also for further Assurance of such Hereditaments and Premises by the said Company, their Successors and Assigns, and all claiming under them, unless except and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest expressed to be conveyed, shall and may in all Actions to be brought assign Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyances.

Whole Expence to be subscribed before Work is commenced.

LIII. And whereas the probable Expence of making the said Railway and the other Works hereby authorized will amount to the Sum of Seven thousand five hundred Pounds, and the Sum of Five thousand seven hundred Pounds, being more than Three Fourth Parts thereof, has been already subscribed for by the several Persons, under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them subscribed for respectively; be it therefore enacted, That the whole of the said Sum of Seven thousand five hundred Pounds shall be subscribed for in like Manner, before any of the Powers given by this Act shall be put in force.

Proprietors to raise amongst themselves the Sum of 7,500*l.* to be divided into 300 Shares.

LIV. And be it further enacted, That it shall be lawful for the said Company to raise amongst themselves any Sum of Money for making and maintaining the said Railway and other Works by this Act authorized, not exceeding in the whole the Sum of Seven thousand five hundred Pounds, the whole to be divided into Three hundred Shares, which shall be numbered, beginning with number One, in arithmetical Progression, whereof the common Excess or Difference shall be One, and every such Share shall be distinguished by the Number to be applied to the same, and the said Shares shall be and are hereby vested in the several Persons so raising the same, and their several and respective Successors, Executors, Administrators, and Assigns, to their proper Use and Benefit, proportionally to the Sum they shall severally contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the said Undertaking, and other the Purposes of the said Subscription, shall be entitled to and shall receive, at such Time or Times as the said Company, or the Committee of the said Company, to be appointed as herein-after mentioned, shall, at any General or Special Meeting, to be convened for that Purpose in such Manner as Meetings on other Occasions are by this Act directed to be convened, direct and appoint, in proportionable Parts, according to the respective Sums so by them respectively paid, the net Profits and Advantages which shall arise or accrue by the Rates, Tolls, and other Sums of Money to be received by the said Company, as and when the same shall be divided by the Authority of this Act; and every Body Politic, Corporate, and Collegiate, and Person, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same.

Shares to be Personal Property.

LV. And be it further enacted, That all the Shares and Proportions of and in the said Undertaking, or to the Joint Stock or Fund of the said

Company, shall be deemed Personal Estate, and be transmissible as such, and shall not be deemed to be of the Nature of Real Property.

To compel Payment of Subscriptions.

LVI. And be it further enacted, That the several Parties who have subscribed or who shall hereafter subscribe for or towards the said Undertaking shall and they are hereby required to pay the respective Sums of Money by them respectively subscribed for, or such Parts or Proportions thereof as shall from Time to Time be called for by the Committee of the said Company under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Committee; or in case any Party shall refuse or neglect to pay the Money by him or her so subscribed for, or the Part thereof so called for, at the Time and in the Manner required for that Purpose, it shall be lawful for the said Company or for the said Committee to sue for and recover the same in any Court of Law or Equity.

Subscribers shall have a Vote for each Share, which may be given by Proxy.

LVII. And be it further enacted, That all Bodies Corporate and Persons who shall have duly subscribed for or become entitled to any Share or Shares in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, shall have a Vote for each such Share; and such Vote or Votes may be given by such respective Parties, or by their respective Proxies constituted under the Seals of such Bodies, or under the Hands of the other Proprietors appointing such Proxies (all such Proxies being Proprietors of Shares in the said Undertaking); and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if the Principal had voted in Person; and every Question, Matter, and Thing which shall be proposed in any General or Special General Assembly of the said Company shall be determined by the Majority of Voters and Proxies then present; and at every such Meeting the Chairman thereof, who shall be appointed by the Majority of the Votes of the Persons present at such Meeting, shall and may not only vote as a Principal and Proxy, but in case of an Equality of Votes shall and may also have the decisive or casting Vote; and the Appointment of every such Proxy may be made according to the Form following, or as near thereto as the Quality, Nature, and Number of the Appointer or Appointers of the Proxy thereby substituted and other Circumstances will admit; (that is to say,)

Form of Proxy.

'*A. B.* of one of the Proprietors of the *Belfast* and '*Cavehill* Railway Company, doth hereby appoint *C. D.* of 'to be the Proxy of the said *A. B.*, in his Name or otherwise, and in his 'Absence, to vote or give his Assent to or Dissent from any Business, 'Matter, or Thing relating to the said Undertaking which shall be pro-'posed at any General or Special General Assembly of the said Com-'pany, in such Manner as he the said *C. D.* shall think proper, accord-'ing to his Judgment, for the Benefit of such Undertaking, or any thing 'appertaining thereto. In witness whereof the said *A. B.* hath here-'unto set his [*or* her] Hand [*or* Common Seal] the 'Day of .'

The Person whose Name stands first as a Joint Proprietor

LVIII. And be it further enacted, That whenever several Persons shall be jointly possessed of or entitled to any Share in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietors of such Share shall for the Purposes of this Act be deemed

with others to be deemed the Owner.

deemed and taken to be the Proprietor of such Share, and all such Proprietors shall be entitled to give their Votes in respect thereof by the Person whose Name shall stand first on the Books of the said Company as Proprietor of such Share, and whose Vote shall, either in Person or Proxy, on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share; and all Notices by this Act directed to be given to the Proprietors of such Shares in the said Undertaking shall and may, for or in respect of any such Share so jointly held, be given to the Person whose Name shall stand first in the Books of the said Company, or be left at the last or usual Place of Abode of such Person, or be inserted in One of the *Belfast* Newspapers, as herein mentioned, (as the Case may require,) and such Notice to such Person shall be deemed and taken to be sufficient Notice to all the Proprietors of such Share for all the Purposes for which such Notice is intended to be given.

Lunatics or Minors to vote by Committees and Guardians.

LIX. And be it further enacted, That in Case any Proprietor entitled to vote at such Meeting as aforesaid shall be a Lunatic or a Minor, such Lunatic shall or may vote at such Meeting by his or her Committee or any of such Committee, and such Minor shall and may vote by his or her Guardian or any of such Guardians: Provided that every such Committee or Guardian may also vote in right of his own Shares as well as in the Character of Committee of any Lunatic or of Guardian of any Minor on the same Occasion.

Names and Additions of Proprietors to be entered in a Book, and Certificates of their Shares to be delivered to them.

LX. And be it further enacted, That the said Company shall and they are hereby required, at some General Meeting, to cause the Names of the several Bodies, and the Names and Additions of the several Persons who respectively shall then be entitled to Shares in the said Undertaking, with the Number of Shares which they are respectively entitled to hold, and the Amount of the Subscriptions paid thereon, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk of the said Company, and after such Entry made to cause their Common Seal to be affixed thereto, and also a Certificate or Ticket with the Common Seal of the said Company affixed thereto, to be delivered to every such Subscriber, on Demand, specifying the Share or Shares to which they, he, or she are or is entitled in the said Undertaking, such Proprietor paying to the Clerk to the said Company the Sum of Two Shillings and Sixpence, and no more, for every such Certificate or Ticket; and such Certificate or Ticket shall be admitted in all Courts whatsoever as *primâ facie* Evidence of the Title of such respective Subscribers, their Successors, Executors, Administrators, or Assigns, to the Share or Shares therein specified, but the Want of such Certificate or Ticket shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing thereof; and such Certificate or Ticket may be in the Words or to the Effect following; (that is to say,)

‘ The *Belfast* and *Cavehill* Railway Company.

‘ Number

Form of Certificate.

‘ THESE are to certify, That *A. B.* of is a Proprietor
‘ of the Share Number of the *Belfast* and
‘ *Cavehill* Railway Company, subject to the Rules, Regulations, and
‘ Orders

‘ Orders of the said Company; and that the said *A. B.*, his Executors,
‘ Administrators [*or* Successors], and Assigns, is and are entitled to the
‘ Profits and Advantages of such Share. Given under the Common Seal
‘ of the said Company, the Day of
‘ in the Year of our Lord .’

For granting new Certificates when the old ones are destroyed or worn away.

LXI. And be it further enacted, That if any such Certificate or Ticket as aforesaid shall be worn out or damaged, then, upon the same being brought and shewn at some Meeting of the Committee of the said Company, such Certificate or Ticket may be cancelled and destroyed, and another similar Certificate or Ticket be given, under the Common Seal of the said Company, to the Party in whom the Property of such Certificate or Ticket, and the Shares therein mentioned, shall be at that Time vested; or, in case such Certificate or Ticket shall be lost or burnt or totally destroyed, then upon due Proof thereof a similar Certificate or Ticket shall be given to the Party who was the Proprietor of or entitled to the Certificate or Ticket so lost, burnt, or destroyed; and a due Entry of the Transfer of such Certificate or Ticket (if any such have been made) shall be entered by the Clerk of the said Company in manner herein directed, the said Clerk receiving for every such Certificate or Ticket which shall be so given or exchanged the Sum of Two Shillings and Sixpence and no more.

Company may buy up Shares.

LXII. And be it further enacted, That if the Company or their Committee for the Time being shall deem it expedient, out of any Surplus of Monies or otherwise, to take up any Share or Shares in the said Company which shall be offered for Sale, then and in such Case it shall be lawful for any General Meeting of the said Company, either to direct that any such Share or Shares so bought shall merge in the said Undertaking, or that the same shall be transferred to the said Company; and such Share or Shares may in such last-mentioned Case at any Time thereafter be sold for the Benefit of the said Company, and for the raising of any Sum of Money which may be wanted for or towards the erecting or repairing of any Building or Works belonging to the said Company, or any other Purpose necessary for carrying on the same.

Proprietors may raise an additional Sum if necessary by Mortgage.

LXIII. And be it further enacted, That it shall be lawful for the said Company, by an Order of any General or Special General Meeting of the said Company, from Time to Time to borrow and take up at Interest any Sum not exceeding in the whole the Sum of Two thousand five hundred Pounds on the Credit of the said Undertaking, as to them shall seem proper; and the said Company, or the Committee of the said Company, after an Order shall have been made for that Purpose by any General or Special General Meeting of the said Company, are hereby empowered to assign and charge the Property of the said Undertaking, and the Rates, Tolls, and other Sums arising or to arise by virtue of this Act, or any Part thereof, (the Costs and Charges of the said Assignment of the same to be paid out of such Rates, Tolls, or Sums,) as a Security for any Sum of Money to be borrowed as aforesaid, with Interest, to or for the Benefit of the Party, or to his or her Trustee, who shall advance the same; all which said Mortgages, Assignments, or Charges shall be made under the Common Seal of the said Company in the Words or to the Effect following, or with such Variation therein as the Circumstances of the Loan may render necessary; (that is to say,)

Form of Mortgage.

‘ Number

‘ BY virtue of an Act passed in the Second Year of the Reign of ‘ King *William* the Fourth, intituled [*here set forth the Title of this* ‘ *Act*], We, the Company of Proprietors of the *Belfast* and *Cavehill* ‘ Railway incorporated by and under the said Act, in consideration of ‘ the Sum of to us in hand paid by *A.B.* of ‘ do assign unto the said *A. B.*, his Executors, Administrators, and ‘ Assigns, the said Undertaking, and all and singular the Rates arising by ‘ virtue of the said Act, and all the Estate, Right, Title, and Interest of, ‘ in, and to the same; to hold unto the said *A. B.*, his Executors, Administrators, and Assigns, until the said Sum of ‘ together with Interest for the same after the Rate of ‘ for every One hundred Pounds for a Year, shall be fully paid and satisfied. ‘ Given under our Common Seal, this Day of ‘ in the Year of our Lord .’

And the respective Parties to whom such Assignments shall be made shall be entitled one with the other to their Proportions of the said Rates, Tolls, and Sums, and Premises, according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any Preference by reason of Priority in the Date of any such Order of Meeting, or Priority in Date of any such Mortgage or Assignment, or any other Account whatsoever; and an Entry or Memorial of every such Mortgage or Assignment, containing the Number and Date thereof, and the Names of the Parties, with their proper Additions, to whom the same shall have been made, and of the Sums borrowed, together with the Rate of Interest to be paid thereon, shall within Fourteen Days next after the Date thereof be entered in some Book to be kept by the Clerk of the said Company, which said Book may be perused at all reasonable Times by any of the Proprietors or Creditors of the said Undertaking, or other Persons interested therein; without Fee or Reward, and all Persons to whom any such Mortgage or Assignment shall have been made as aforesaid, or who shall be entitled to the Money due thereon, may from Time to Time transfer their respective Rights and Interests therein to any other Person; and every such Transfer thereof shall and may be in the Words and to the Effect following; (that is to say,)

Form of Transfer of Mortgage.

‘ I *A.B.* of in consideration of the Sum of ‘ paid by of do hereby transfer a ‘ certain Mortgage, Number made by the Company of Proprietors of the *Belfast* and *Cavehill* Railway to ‘ bearing Date the Day of for securing ‘ the Sum of and Interest, all my Right, Estate, and ‘ Interest in and to the Money thereby secured, and in and to the Rates ‘ and Property thereby assigned, to the said his Executors, ‘ Administrators, and Assigns. Dated this Day of ‘ in the Year of our Lord .’

And every such Transfer shall within Twenty-eight Days after the Date thereof, if executed in *Ireland*, or otherwise within Twenty-eight Days next after the Arrival thereof in *Ireland* if executed elsewhere, be produced to the Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof, in the same Manner as of the original Mortgage or Assignment, for which the said Clerk shall be paid such Sum as the said Company shall appoint, not exceeding Two Shillings and Sixpence; and after

such Entry made every Transfer shall respectively entitle such Assignee, or his or her Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon; and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the same, or any Sum of Money thereon due or thereby secured, or any Part thereof.

Interest of Money borrowed to be paid in preference to Dividends.

LXIV. And be it further enacted, That the Interest of the Money which shall be raised by Mortgage or Charge as aforesaid shall be paid half-yearly to the several Persons entitled thereto, and in preference to any Dividends payable by virtue of this Act to the Proprietors of the said Company or any of them; and in case the same Interest or any Part thereof shall be behind and unpaid by the Space of Twenty-one Days next after the same shall have become due and payable as aforesaid, and the same shall not be paid within Seven Days next after Demand thereof in Writing shall have been made to the said Company, or left at the Office of the said Company, it shall be lawful for Two or more Justices of the Peace acting for the County of *Antrim*, not being interested in the Matter in question, and they are hereby respectively required, on Request to them made by or on behalf of any Mortgagee whose Interest shall be so in arrear, by an Order under their Hands to appoint some Person to receive the Whole or such Part of the said Rates, Tolls, or Sums as are liable to pay such Interest so due and unpaid as aforesaid; and the Money so to be received by such Person or Persons is hereby declared to be so much Money received by or to the Use of the Person to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the Rates, Tolls, or Sums, shall be fully satisfied and paid; and after such Interest and Costs shall have been satisfied, the Power and Authority of such Receiver for the Purpose aforesaid shall cease and determine, or otherwise the said Interest so due and unpaid as aforesaid may be sued for and recovered, with Costs, by an Action of Debt in any of His Majesty's Courts of Record at *Dublin*.

Mortgagees not to vote.

LXV. Provided always, and be it further enacted, That no Person to whom any such Mortgage or Assignment shall be made shall be deemed a Proprietor of any Share, or shall be capable of acting or voting as such at any Meeting of the said Company, for or on account of his or her having advanced any Money on such Mortgage or Assignment.

In case Mortgages are paid off, Company may raise the Amount again.

LXVI. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the said Sum of Two thousand five hundred Pounds by Mortgages, and shall afterwards be required or shall be desirous to pay off or shall have paid off all or any Part of the Principal Sum secured by such Mortgages or any of them, then and in every such Case it shall be lawful for the said Company, immediately or at any Time thereafter, again to raise in lieu of the Principal Money so paid off or to be paid off by them so much and such Sum and Sums of Money as they shall from Time to Time have paid off or be required or be desirous to pay off to the Holders of the Mortgages or any of them, or any Part thereof, and so from Time to Time as often as the same shall happen; but so nevertheless that the said Company shall not in any Event borrow in such Manner or to such Extent as that more than the Sum of Two thousand five

five hundred Pounds in the whole shall be owing at any Time on Mortgage of or as a Charge upon the said Undertaking.

Company may apply for a Loan from Commissioners for Public Works.

LXVII. And whereas an Act passed in the last Session of Parliament, intituled *An Act to amend several Acts for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize the further Issue of Exchequer Bills for the Purposes of the said Acts:* And whereas another Act passed in the same Session of Parliament, intituled *An Act for the Extension and Promotion of Public Works in Ireland;* be it enacted, That at any Time after the passing of this Act it shall and may be lawful for the said Company, notwithstanding any thing contained in this Act to the contrary, to apply to the Commissioners for the Execution of the said recited Acts and the several Acts therein recited, or to the Lords of His Majesty's Treasury, or to any other Commissioner to be hereafter appointed under the Authority of Parliament, for lending or advancing Money in aid of Public Works in *Great Britain* or in *Ireland*, for the free Grant in aid of the said Railroad and other Works, or for an Advance of any Sum or Sums of Money upon the Security of the Rents, Tolls, or Profits expected to arise and be payable, or which shall arise and be payable out of such, and of the Ground upon which the same shall be erected; and in case the Commissioners for the Execution of the said recited Acts, or any other Act or Acts to be hereafter passed, shall think fit to direct any Sum or Sums of Money to be advanced for the Purposes of this Act, under the Regulations of the said recited Acts or other Act or Acts under which they may be appointed, it shall be lawful for the said Company to mortgage or assign all or any of the Rents, Tolls, and Profits expected to arise and be payable, or which shall arise or be payable under this Act, to the Commissioners for the Execution of such Acts, as a Security for the Payment of the Interest and Principal of any Sum or Sums to be advanced, at or within any such Time or Times and by any such Instalment as such Commissioners, with the Approbation of the Lords of His Majesty's Treasury, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland;* shall think proper to direct and appoint, and as shall be specified in such Mortgage or Assignment; and every such Mortgage or Assignment, and the Sums payable under or by virtue of the same, shall in all Cases have Preference and Priority over any other Mortgage or Assignment of any of the said Rents, Tolls, or other Profits made to any other Person or Persons under this Act; and the Interest of such Sums so advanced shall be fully paid and satisfied before the Payment of any Interest under any other Security granted under the Authority of this Act; and the Principal Sums secured by such Mortgage or Assignment to such Commissioners shall be paid and satisfied at such Time or Times and by such Instalments as shall be specified in the Mortgage or Assignment given for Security of the same, and shall have Preference and Priority to all other Payments under the Authority of this Act.

Application of Money to be raised.

LXVIII. And be it further enacted, That all the Money to be raised by the said Company by virtue of this Act shall be laid out and applied, in the first place, in paying and discharging all Costs, Charges, and Expences incurred in applying for, obtaining, and passing this Act, and all other Expences preparatory or relating thereto, and all the Remainder of such Money

Money shall be applied in and towards purchasing Lands, Tenements, and Hereditaments, and making and maintaining the said Railway and other Works, and in otherwise carrying this Act into execution.

First and other General Meetings.

LXIX. And be it further enacted, That the said Company shall meet together at some convenient Place within the Town of *Belfast* within Six Calendar Months next after the passing of this Act, between the Hours of Ten and Three, and shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time and from Place to Place as they shall think fit; and from and after the said First Meeting of the said Company there shall be a General Meeting of the said Company on the First Day of *June* in each and every Year, or within the Space of Thirty Days next thereafter, of which said General Meeting Ten Days Public Notice at the least shall be given by Advertisement in some One or more Newspapers usually circulated in *Belfast* aforesaid; and all such General Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient.

Appointment of Treasurer.

LXX. And be it further enacted, That the said Company shall at some General Meeting elect a Treasurer, or One or more Person or Persons as Clerk or Clerks, for transacting the Business of the said Company; and it shall be lawful for the said Company, at any subsequent General or Special General Meeting, from Time to Time to remove and displace any such Treasurer or Clerk, or any Persons who shall be hereafter elected and appointed to their respective Offices, and elect in manner aforesaid any other Person to act as Treasurer, or other Person or Persons to act as Clerk or Clerks of the said Company, in the Room of such of the said Officers as shall die or resign or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers, or either of them, as they shall from Time to Time think proper and appoint: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Company, and from every Receiver, Collector, or other Officer appointed by them, having the Custody or Controul of any Money received by virtue of this Act, for the faithful Execution of his Office, before he shall enter thereupon.

Treasurer to give Security.

Treasurer and Clerk not to be the same Person.

LXXI. Provided also, and be it further enacted, That it shall not be lawful for the said Company to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk of the said Company for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such

Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

General Meetings may make Bye Laws.

LXXII. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any such General or Special General Meeting as aforesaid, to make such Bye Laws, Orders, and Rules as to them shall seem right and proper for the good Government of the Officers and Servants of the said Company, and for the Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter or repeal such Bye Laws, Orders, and Rules, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same as to the said Company shall seem meet, not exceeding the Sum of Five Pounds for any Offence, such Fines and Forfeitures to be levied and recovered as other Penalties may by this Act be levied and recovered; which said Bye Laws, Orders, and Rules, being reduced into Writing under the Common Seal of the said Company, and printed and published, and painted on Boards, shall be hung up and affixed and continued on the Front or other conspicuous Part of the several Toll Houses to be erected on the said Railway, and other Buildings or Places at which any Rates, Tolls, or other Sums shall be received under the Authority of this Act, and shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated and destroyed; and such Bye Laws, Orders, and Rules shall be binding upon and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided that such Bye Laws, Orders, or Rules be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, or to any Directions in this Act contained; and all such Bye Laws, Orders, and Rules shall be subject to Appeal in manner herein-after mentioned.

Copy of Bye Laws to be Evidence.

LXXIII. Provided always, and be it further enacted, That in all Cases of Prosecution for Offences against the Bye Laws, Rules, or Orders of the said Company the Production of a written or printed Paper purporting to be the Bye Laws, Rules, or Orders of the said Company, and authenticated by having the Common Seal of the said Company affixed thereto, shall be Evidence of the Existence of such Bye Laws, Rules, or Orders, and it shall be sufficient to prove that a Board painted according to the Directions of this Act, purporting to be a Copy of such Bye Laws, Rules, or Orders, hath been affixed and published in manner by this Act directed, and in case of its being afterwards displaced or damaged hath been replaced by another such Board as soon as conveniently might be, unless Proof shall be adduced by the Defendants that such Board is not a Copy of such Bye Laws, Rules, or Orders, or hath not been duly affixed and generally continued in manner by this Act directed.

LXXIV. And

Meetings to settle Accounts.

LXXIV. And be it further enacted, That it shall be competent for any General Annual Meeting to call for and examine the Accounts of the said Company, and of the Treasurers, Receivers, or Collectors of the Rates, and other Officers of the said Company.

Power to appoint a Committee.

LXXV. And be it further enacted, That at the First General Meeting of the said Company which shall be held in pursuance of this Act, and also at every succeeding General Meeting of the said Company to be held in the Month of *June* in each Year, or at some Adjournment thereof respectively, it shall be lawful for the Proprietors of the said Undertaking to elect and appoint out of the said Proprietors any Number of Persons not exceeding Five, who shall each of them be possessed of Ten Shares or more in the said Undertaking, to be the Committee for managing the Affairs of the said Company; and the Members of such Committee shall continue in their Office for the Space of One Year, to be computed from the Day of Election, or until others or another shall be duly elected into their or any of their Places: Provided always, that nothing herein contained shall render any Member of such Committee whose Office shall have expired ineligible to be a Member of the Committee for the ensuing Year; provided also, that no Person shall be qualified to be elected nor to serve or act as a Member of the Committee who shall hold any Place of Profit or be concerned or interested in any Contract or Contracts under the said Company, nor shall any Member of the said Company be capable of taking any Contracts under the said Company while he shall be a Member of such Committee.

For supplying Vacancies in Committee.

LXXVI. And be it further enacted, That when and so often as any Member of the Committee to be elected by virtue of this Act shall die or resign, or shall become bankrupt, or shall apply to take the Benefit of any Act for the Relief of Insolvent Debtors, or shall cease to be a Proprietor of Ten Shares in the said Undertaking, or shall be otherwise disqualified to act as a Member of the Committee, it shall be lawful for the remaining Members of such Committee to elect some other Proprietor holding Ten Shares at least in the said Undertaking to be a Member of such Committee; and every such Proprietor so elected to fill any such Vacancy shall continue a Member of such Committee so long as the Person in whose Place or Stead he was elected would have been entitled to have continued or remained in such Committee and continued qualified in that Behalf.

Chairman of Committee to be appointed.

LXXVII. And be it further enacted, That the Members present at the first Meeting of the Committee which shall be held next after the First General Meeting of the said Company, and so at the first Meeting of the Committee which shall be held next after the Annual Meeting in the Month of *June* in each and every Year, or the Majority of the Members present at such Meeting of the Committee, shall choose out of the said Committee a Chairman thereof: Provided always, that when and so often as the Chairman to be chosen by virtue of this Act shall die or resign or become disqualified to act, or otherwise cease to be a Member of the Committee, it shall be lawful for the Members of such Committee, in like Manner at the Meeting to be held next after such Vacancy to choose some other Person out of the Members of the said Committee to be Chairman; and every such Chairman so to be chosen as last aforesaid to fill

fill such Vacancy shall continue in his Office so long only as the Person in whose Place or Stead he may be so elected would have been entitled under the Provisions of this Act to continue if such Death, Resignation, or Disqualification had not happened.

Chairman of Committee to preside at Meetings.

LXXVIII. And be it further enacted, That at all General and Special General Meetings of the said Company the Chairman of the said Committee, or in his Absence any One of the Members of the Committee of the said Company to be chosen at any such Meeting, or in the Absence of all the Members of the Committee any Proprietor to be chosen at such Meetings, shall preside as Chairman.

Powers and Duties of Committee.

LXXIX. And be it further enacted, That the Committee for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Authority to meet and adjourn from Time to Time and from Place to Place, and also at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places of holding General or Special Meetings; and all Questions, Matters, and Things which shall be discussed or considered at any Meeting of the Committee shall be finally determined by the Majority of Votes then present, and there shall be Three Members of Committee at the least present to constitute a Meeting; and no Committee, although possessed of many Shares in the said Undertaking, shall have more than One Vote at any such Meeting, except the Chairman of such Meeting, who, in case of an equal Division, shall always have a second or casting Vote, as such Chairman; and such Members of Committee shall have full Power and Authority to direct and manage the Affairs of the said Company, and for that Purpose to purchase Lands, Tenements, and Hereditaments, and Engines and Materials, for the Use of the said Undertaking, and to sell Lands, Tenements, and Hereditaments hereby authorized to be sold, and to employ and direct the Works and Workmen, and to appoint or displace the Officers and Servants of the said Company, (except the Treasurer and Clerk herein-before directed to be appointed by a General Meeting of the said Company,) with such Salaries, Gratuities, or Recompences as to the said Committee shall seem proper, and upon the Death or Removal of any of the said Officers or Servants from Time to Time to appoint others in their respective Places, and also to make Contracts and Bargains touching the said Undertaking; and the said Committee may require such Security to be given to the said Company from any Officer or other Person, for the faithful Execution of his Duty, as they may think proper; and the said Committee shall keep a regular Minute and Entry of their Proceedings at every Meeting of the said Committee, and from Time to Time make Report thereof to the said Annual General Meetings, and, if required, to the Special General Meetings of the said Company, and shall obey their Orders and Directions; and the said Committee shall keep full and true Accounts of all Monies disbursed and Payments made by the said Committee, and by all Persons employed by or under them, and of all Money which they shall receive on behalf of or in respect of such Undertaking, from any Collector of the Rates, Tolls, or Sums by this Act authorized, or other Officer, or from any other Person employed in or having any Concern, Dealing, or Transaction with the said Undertaking, or from any other Person on any Account, for the

Use of the said Company, and shall regularly enter in some Book to be from Time to Time provided at the Expence of the said Company for that Purpose, Notes, Minutes, or Copies, (as the Case shall require,) of every such Appointment, Contract, Bargain, Receipt, and Disbursement, and of other their Orders and Proceedings, which Book shall be deposited with and kept locked up under the Care or Direction of the said Committee.

Meetings of Proprietors may be specially convened.

LXXX. And be it further enacted, That Three or more Proprietors of the said Company, holding in the aggregate One hundred Shares or upwards in the said Undertaking, upon which all Calls actually previously made shall have been paid and satisfied, may at any Time, by Writing under their Hands, left at the Office of the said Company, or given to at least Three Members of Committee of the said Company, or left at their last or usual Places of Abode, require the Committee of the said Company to call a Special General Meeting of Proprietors of the said Company, so as such Requisition fully expresses the Object for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Committee to call such Meeting for the Space of Ten Days next after such Notice given as aforesaid, the same may be called by such Three or more Proprietors, by giving Ten Days Notice thereof in some Newspaper usually circulated in the Town of *Belfast;* and the said Company are hereby authorized to meet in pursuance of such Notice, and such of the Proprietors thereof as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters so specified in such Notice; and all Acts of the major Part in Votes of the Proprietors of the said Company met together at any such Special General Meeting shall be as valid with respect to the Matters specified in such Notice as if the same had been done at a General Meeting held at the Time herein before appointed for holding the same.

Officers to account.

LXXXI. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act, shall from Time to Time, when thereunto required by the said Committee or by the said Company, make out and deliver to the said Committee and to the said Company, or to such Persons as they shall respectively for that Purpose appoint, a true and perfect Account in Writing under his or her Hand of all Monies which shall have been by him or her received by virtue of this Act; and such Account shall state how and to whom and for what Purpose the same shall have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her to the Treasurer of the said Company, or to such Persons as the said Committee or the said Company shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof when thereunto required in manner aforesaid, or shall refuse or neglect to deliver up to the said Committee or to the said Company, or to such Persons as they respectively shall appoint, within Ten Days after being thereunto required by the said Committee or by the said Company, or by such other Persons as last

aforesaid, all Books, Papers, and Writings in his or her Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Committee or by the said Company, or by any other Person on their Behalf, to any Justice of the Peace for the said County of *Antrim*, such Justice may and he is hereby required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his or her appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Committee or the said Company might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, it shall appear to such Justice that any of the Monies which shall have been collected and received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby required, by Warrant under his Hand and Seal to commit such Officer or Person to some Common Gaol or House of Correction of the said Town of *Belfast*, there to remain without Bail or Mainprize until he or she shall have made or delivered such Account, and have delivered up the Vouchers and Receipts (if any) relating thereto, and have delivered up such Books, Papers, and Writings (if any) as aforesaid, and shall have paid all the Money which shall appear to be in the Hands of or owing from him or her, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he or she shall have compounded with the said Committee or with the said Company, for such Money and Charges, and have paid the Composition Money to the said Committee or to the said Company (and which Composition the said Committee and the said Company are hereby respectively empowered to make), or have given Satisfaction in respect of such Vouchers, Receipts, Books, Papers, and Writings to the said Committee or to the said Company: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Three Calendar Months.

Proceedings to be entered in a Book.

LXXXII. And be it further enacted, That the Orders and Proceedings of every Meeting, as well General and Special, of the said Company and of the Committee, shall be entered in some Book or Books to be provided and kept for that Purpose, and shall be signed by the Chairman of each respective Meeting; and such Orders and Proceedings, when so entered and signed, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before

before all Judges, Justices, and others, and that without Proof of such Meeting being duly convened, or of the Persons making or entering such Orders or Proceedings being Proprietors, or being the Committee, as the Case may be.

Accounts to be kept of Receipts and Disbursements.

LXXXIII. And be it further enacted, That the said Committee shall cause a Book or Books to be kept by a Book-keeper, who shall be expressly appointed by the said Committee for that Purpose; and such Book-keeper shall enter or cause to be entered in the said Book or Books true and regular Accounts of all Sums of Money received and expended for or on account of the said Undertaking, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of any of the Proprietors of the said Company, or of any Creditor for any Money to be borrowed under this Act, without Fee or Reward; and the said Proprietors or any Creditor as aforesaid shall and may take Copies of or Extracts from the said Book or Books, or of any Part thereof, without paying any thing for the same; and in case the said Book-keeper shall refuse to permit or shall not permit the said Proprietors or any such Creditor to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, such Book-keeper shall forfeit and pay any Sum of Money not exceeding Twenty Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

Notices how to be given.

LXXXIV. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special General Meeting of Proprietors, or any Adjournment thereof respectively, or to any of the said Proprietors, and not herein otherwise provided for, shall be signed by the Chairman or Deputy Chairman of the Committee of the said Company, or by the Proprietor who may be elected Chairman of any such Meeting, and shall be given by Advertisement inserted in some Newspaper usually printed or circulated in the Town of *Belfast*; and such Notices, when so published and given, shall be deemed and considered the same as personal Notices.

Clerk of the Company to enter and keep Account of the Places of Abode of Proprietors.

LXXXV. And be it further enacted, That the Clerk of the said Company shall, in some proper Book to be provided by the said Company for that Purpose, enter and keep a true Account of the Locality or Places of Abode of the several Proprietors (whether Corporations or Individuals) of the said Undertaking, and of the several Bodies and Persons who shall from Time to Time become Proprietors thereof, or be entitled to any Share therein; and every Proprietor of the said Undertaking (or being a Corporate Body, by their Clerk or Agent duly appointed,) may at all convenient Times have recourse to and peruse the same *gratis*, and may demand and have Copies thereof or of any Part thereof, paying at and after the Rate of Sixpence for every One hundred Words so to be copied; and if any such Clerk of the Company hereby incorporated shall refuse to permit any such Proprietor or Agent as aforesaid to peruse such Book at all convenient Times, or refuse to make such Copy within a reasonable Period at the Rate aforesaid, he shall for every such Offence forfeit and pay the Sum of Five Pounds, for the Benefit of the said Undertaking.

LXXXVI. And

Committee may appoint a temporary Treasurer or Clerk.

LXXXVI. And be it further enacted, That in case any Treasurer or Clerk of the said Company shall die, or be removed from or quit the Service of the said Company, it shall be lawful for the said Company at their Stated or Special General Meetings, or for the Committee of the said Company, to appoint some other fit and proper Person to execute such Office in the Place of the Person who shall die, or be removed from or quit the Service of the said Company; and in case any such new Appointment shall be made by the said Committee, the same shall only continue until the next Annual General Meeting of the said Company, when the Appointment of such Person to such Office shall either be confirmed, or such other fit Person be appointed to succeed to such Office as the said Company at such Meeting shall think proper.

Committee may make Calls.

LXXXVII. And be it further enacted, That the said Committee shall have Power from Time to Time to make such Calls of Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expences of or to carry on the same, as they from Time to Time shall find necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds upon each Share which any Person shall or may be possessed of or entitled unto in the said Undertaking, and such Calls shall not be made but at the Distance of Three Calendar Months at the least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls by Advertisement in some Newspaper usually circulated in the Town of *Belfast*; which Money so called for shall be paid to such Persons and in such Manner as the Committee shall from Time to Time direct and appoint, for the Use of the said Undertaking; and every Owner of any Share in the said Undertaking shall pay his or her rateable Proportion of the Monies to be called for as aforesaid to such Persons and at such Times and Places as the said Committee shall from Time to Time direct and appoint, not exceeding in the whole the Sum of Twenty-five Pounds upon every such Share so held or subscribed as aforesaid; and if any Owner of any such Share shall not so pay such his or her rateable Proportion, then and in such Case, and so often as the same shall happen, such Owner shall pay Interest for the same after the Rate of Six Pounds *per Centum per Annum* from the Day appointed for the Payment thereof up to the Time when the same shall be actually paid; and if any Owner of any such Share shall neglect or refuse so to pay such his or her rateable Proportion, together with the Interest, if any accrue, for the same, for the Space of Three Calendar Months after the Day appointed for the Payment thereof, then it shall be lawful for the said Company or for the said Committee to sue for and recover the same in any of His Majesty's Courts of Record, by Action of Debt or in the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, or more than One Imparlance, shall be allowed; or the said Company or the said Committee may and they are hereby authorized to declare the Shares belonging to any Person so refusing or neglecting to pay any such Calls, together with Interest, in manner last aforesaid, to be forfeited, and to be sold, subject to the Provisions of this Act: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share in the said Undertaking until Notice in Writing under the Hand of the Clerk or Treasurer of the said Company of such Share having been declared by the said Committee forfeited shall have been given or sent by the Post unto, or left at the last

If Calls are not paid, they may be sued for;

or the Shares declared forfeited and old.

known usual Place of Abode of the Owner of such Share, nor until the Declaration of Forfeiture of the said Committee shall have been confirmed, either at an Annual General Meeting of the said Company, or at a Special General Meeting of the said Company to be called for that Purpose, and to be respectively held after the Expiration of Three Calendar Months at the least from the Day on which such Notice of Forfeiture shall have been given; and after such Forfeiture shall have been confirmed by such Annual or Special General Meeting the said Company, by an Annual or Special General Meeting, shall have Power to direct the said Committee to dispose of the Shares so forfeited.

If the Purchase Money for such Shares shall be more than sufficient to pay the Arrear of Calls, &c. Surplus to be paid to Owners, on Demand.

LXXXVIII. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such Share as shall be forfeited by reason of the Nonpayment of any Call, as herein authorized, shall be more than sufficient to pay all such Arrears or Calls as aforesaid, and legal Interest thereon as aforesaid, and the Expence attending the Sale thereof, the Surplus of such Purchase Money shall, on Demand, be paid to the Party to whom such forfeited Share shall have belonged: Provided also, that the said Company or the said Committee shall not by virtue of this Act sell or transfer more of the Shares of such Defaulter in Payment of Calls than shall be sufficient, as near as may be, at the Time of such Sale, to pay the Arrears due from such Defaulter for or on account of such Call, and the Interest and Expences attending the same; and from and after Payment of such Call, and the Interest and Expences aforesaid, any Share vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Party to whom such Share shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Call had been duly paid.

Proceedings in Actions for Calls.

LXXXIX. And be it further enacted, That in any Action to be brought by the said Company or by the said Committee against any Proprietor of any Share in the said Undertaking, to recover any Money due and payable to the said Company or to the said Committee for or by reason of any Call made by virtue of this Act, it shall be sufficient for the said Company or the said Committee to declare and allege that the Defendant, being a Proprietor of so many Shares in the said Undertaking, is indebted to the said Company or to the said Committee in such Sums of Money as the Calls in arrear shall amount to, for so many Calls of such Sums of Money upon so many Shares belonging to the said Defendant whereby an Action hath accrued to the said Company or to the said Committee, by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant at the Time of making such Calls was a Proprietor of some Share in the said Undertaking, and that such Calls were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Committee who made such Calls, or any other Matter whatsoever; and the said Company or the said Committee, Plaintiffs therein, shall thereupon be entitled to recover what shall appear due, including Interest, computed as aforesaid on such Calls, unless it shall appear that any such Call exceeded Ten Pounds for every Share of Twenty-five Pounds, or was made within the Distance of Three Calendar Months from the last preceding Call, or without Notice given in any Newspaper as aforesaid; and in order to prove that such Defendant

was a Proprietor of some Share in the said Undertaking, as alleged, the Production of the Book in which the Clerk of the said Company is by this Act directed to enter and keep the Names and Additions of the several Proprietors of Shares in the said Undertaking, with the Number of Shares they are respectively entitled to hold, and of the Locality or Places of Abode of the several Proprietors of the said Undertaking, and of the several Persons and Bodies who shall from Time to Time become Proprietors thereof, or be entitled to any Share therein, shall be *primâ facie* Evidence that such Defendant is a Proprietor, and of the Number or Amount of his or her Shares therein.

For ascertaining the Proprietorship of Shares in certain Cases.

XC. And whereas in Cases where any Proprietor of any Share in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest therein to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of any Officer acting for the said Company to ascertain who is the Proprietor of such Share, in order to give him or her, or his or her Executors, Administrators, Successors, or Assigns, Notice of Calls to be made on such Share, or to maintain any Action, Suit, or other Proceeding against him or her, or his or her Executors, Administrators, Successors, or Assigns, for the Recovery of the same; be it therefore enacted, That in all the Cases aforesaid, where the Right or Property of any Share in the said Undertaking shall pass from the original Subscriber, or any Proprietor thereof, to any other Person, or to any Body Corporate, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein specified, or herein otherwise provided, an Affidavit shall be made and sworn to by some credible Person before any of His Majesty's Justices of the Peace, or before any Master or Master Extraordinary in the High Court of Chancery, stating the Manner in which such Share hath been passed to such other Person, or to such Body Corporate; and such Affidavit shall be delivered to and left with the Clerk of the said Company, to the Intent that he may preserve the same, and enter and register the Name of every such other Proprietor, or the Description of every such Body Corporate, in the Register Book or List of Proprietors of the said Undertaking to be kept in the Office of the said Company; and in all or any of the said Cases, after Ten Days Notice in Writing shall have been given by the said Committee, under the Hand of the Clerk or Treasurer of the said Company, to the Person or Corporation stated or claiming in such Affidavit to be the Proprietor or Proprietors of such Share, or left at the last or usual Place of Abode of such Person, or of the Clerk of such Corporation, to pay his, her, or their Proportion of Money to be called for, and such Person or Corporation shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the said Company, at any General Meeting or Special General Meeting, after the Expiration of such Notice, to declare such Shares to be forfeited, and in such Case the same shall become forfeited, and shall and may be sold and disposed of in such Manner as the said Company at any Meeting shall direct, or otherwise become consolidated in the general Fund of the said Company; and in case there shall be no such Affidavit made as aforesaid, then such Notice as is herein-before directed to be given shall be served upon or be left at the last Place of Abode of the Executors or Administrators of such Proprietor so

dying, or of the Assignees or Trustees of such Proprietor so becoming bankrupt or insolvent, or, in the Event of the Share or Shares being disposed of as aforesaid, of the last Proprietor appearing in the Books of the said Company to have been possessed of the same; and in case the last or usual Place of Abode of any such Proprietor cannot be ascertained upon Enquiry, such Notice shall be inserted once in a *Belfast* Newspaper as aforesaid; and in case any Proprietor shall go out of the Kingdom, such Notice shall be inserted in a *Belfast* Newspaper as aforesaid; and in all such Cases, and after such Notices, on Default being made, the Share shall be forfeited in manner aforesaid, except only that in the Cases of Proprietors being Abroad the Share shall not be forfeited until the Expiration of Six Calendar Months after the Day on which such Notice shall have been left at their last or usual Place of Abode in *Ireland*, and inserted in a *Belfast* Newspaper as aforesaid.

Proprietors in arrears not to vote.

XCI. Provided also, and be it further enacted, That no Proprietor of any Share on which any Call made shall remain unpaid shall at any Meeting of the Proprietors of the said Company be allowed to vote, either personally or by Proxy, until the Money payable in respect of such Share pursuant to such Call shall have been fully paid, although the Time limited for Payment thereof may not have expired.

Shares may be sold.

XCII. And be it further enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, and their respective Executors, Administrators, and Successors, to sell and dispose of any Shares to which they shall be entitled therein, subject to the Rules and Conditions herein mentioned; and the Form of Conveyance of Shares may be in the following Words, or to the like Effect, varying the Names and Descriptions of the contracting Parties as the Case may require:

Form of Conveyance.

'I of in consideration of the Sum of
'paid to me by of
'do hereby assign and transfer to the said
'Share [*or* Shares, *as the Case may be*] numbered of
'and in the Undertaking called the *Belfast* and *Cavehill* Railway Com-
'pany, to hold unto the said his
'Executors, Administrators, and Assigns, [*or* Successors and Assigns,]
'subject to the same Conditions as I held the same immediately before
'the Execution hereof; and I the said do
'hereby agree to accept and take the said Share, [*or* Shares] subject to
'the same Conditions. As Witness our Hands and Seals, the
'Day of .'

And in every such Sale the Deed or Conveyance (being executed by the Seller and Purchaser of such Share) shall be kept by the Clerk of the said Company, who shall enter in some Book to be kept for that Purpose a Memorial of such Transfer and Sale, and indorse the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly, and on Request a Certificate of such Sale shall be delivered by him to the Purchaser, for his or her Security, and for which Certificate no more than Two Shillings

lings and Sixpence shall be paid; and until such Memorial shall have been made and entered as above directed such Purchaser shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share paid to him or her, nor any Vote in respect thereof as a Proprietor of the said Undertaking.

After a Call no Share to be sold until the Call shall be paid.

XCIII. And be it further enacted, That no Person shall sell or transfer any Share which he or she shall possess in the said Undertaking, after any Call shall have been made by the said Committee for any Sum of Money in respect of such Share, unless he or she at the Time of such Sale or Transfer shall have paid the full Sum of Money which shall have been called for in respect of each Share so to be sold or transferred.

Accounts to be made up annually.

XCIV. And be it further enacted, That the said Company or the Committee of the said Company shall and they are hereby required to cause a true, exact, and particular Account to be kept, and annually made up and balanced on the First Day of *May* in each Year, of the Money received by the said Company, or by the Committee or Treasurer of the said Company, or otherwise for the Use of the said Company, by virtue of this Act, and of the Charges and Expences attending the making, maintaining, and carrying on the said Undertaking, and of all other the Receipts and Expenditure of the said Company or the said Committee up to that Period; and at the next subsequent Yearly Meeting of the Proprietors of the said Undertaking to be from Time to Time held as aforesaid, or at some Adjournment thereof, a Dividend shall be made out of the clear Profits of the said Undertaking, unless such Yearly Meeting shall declare otherwise; and such Dividend shall be at and after the Rate of so much *per* Share upon the several Shares held by the Members thereof in the Joint Stock of the said Company, as such Meeting shall determine: Provided always, that no Dividend shall be declared or paid until the Yearly General Meeting which shall be held next after the Expiration of Three Years from the passing of this Act; provided also, that no Dividend shall be made whereby the Capital of the said Company shall be in any Degree reduced or impaired, nor shall any Dividend be paid in respect of any Share, after a Day appointed for Payment of any Call of Money in respect thereof, until such Call shall have been paid.

For ascertaining the Proprietorship of Shares in case of Marriage or Death of Proprietors.

XCV. And whereas by the Death of or other after-mentioned Event happening to Proprietors, or by the Marriage of Female Proprietors of Shares in the said Undertaking, it may be difficult to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid or may belong; be it therefore enacted, That before any Person who shall claim any Part of the Profits of the said Undertaking in right of Marriage with any Female Proprietor shall be entitled to receive the same, or be entitled to vote in respect of any Share, an Affidavit, or a solemn Affirmation by any Person of the Society of Quakers, in Writing, containing a Copy of the Register of such Marriage, or other Particulars of the Celebration thereof, and identifying the Wife as the Proprietor of the Share in respect whereof any such Claim may be made, shall be made and sworn to or solemnly affirmed by some credible Person before some Master or Master Extraordinary in Chancery, or some One of His Majesty's Justices

Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book which shall be kept by the said Clerk for the Entry of Transfers or Sales of Shares; and before any Person who shall claim any Part or Share of the Profits of the said Undertaking by any Bequest or Will, or in the Course of Administration, shall be entitled to receive the same, or be entitled to vote in respect of any Share, the said Will, or the Probate thereof, or the Letters of Administration, shall be produced and shewn to the said Clerk, or a Copy of so much of such Will as shall relate to the Share of the Testator or Intestate shall be made and sworn to or solemnly affirmed by the Executors of the said Will, or the Administrators of the Intestate, before some Master or Master Extraordinary in Chancery, or any of His Majesty's Justices of the Peace as aforesaid, and shall also be transmitted to the said Clerk, who shall file and enter the same as herein-before mentioned; and in all Cases other than as herein-before mentioned, when the Right and Property of any Share in the said Undertaking shall pass from any Proprietor thereof to any other Person by any other legal Means than by a Transfer and Conveyance thereof, duly made and executed as herein-before directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn to or solemnly affirmed to by some credible Person before some Master or Master Extraordinary in Chancery, or any of His Majesty's Justices of the Peace as aforesaid, stating the Manner in which such Share hath been passed to such other Person, and such Affidavit or solemn Affirmation shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name of every such new Proprietor in the Register Book or List of Proprietors of the said Company, and the said Clerk shall be entitled to receive for each such Entry, as is herein-before directed, the Sum of Two Shillings and Sixpence and no more; and the said Company shall not be bound to see to the Execution of any Trust, whether express or constructive, to which any Share aforesaid shall be subject or liable.

Rates of Tonnage to be taken.

XCVI. And be it further enacted, That it shall be lawful for the said Company, from Time to Time and at all Times hereafter, to demand, receive, and recover, to and for the Use and Benefit of the said Company, for the Tonnage of all Articles, Matters, and Things which shall be carried or conveyed upon or along the said Railway, or upon or along any Part thereof, any Rates or Tolls not exceeding the Sum of Four-pence *per* Ton *per* Mile.

Rate for short Distances.

XCVII. Provided always, and be it further enacted, That in all Cases where any Articles, Matters, or Things shall be carried and conveyed along or upon the said Railway for so short a Distance that the above-mentioned Tonnage Rate shall not amount to the Sum of Sixpence *per* Ton, the said Company shall be at liberty and they are hereby authorized and empowered to demand and receive the Sum of Sixpence *per* Ton thereon; any thing in this Act contained to the contrary thereof notwithstanding.

As to Fractions of a Ton or Mile.

XCVIII. And be it further enacted, That in all Cases where there shall be a Fraction of a Ton a Proportion of the said Rates or Tolls may be demanded and taken for such Fraction according to the Number of Quarters

ters of a Ton contained therein, and when there shall be a Fraction of a Quarter of a Ton such Fraction shall be deemed and considered as a full Quarter of a Ton; and in all Cases where there shall be a Fraction of a Mile in the Distance which any Waggon, Cart, or other Carriage shall pass upon the said Railway, the Rates of Tonnage or Toll which shall be demanded and taken shall be after the Rate of the Number of Quarters of a Mile which the said Waggon, Cart, or other Carriage shall have passed, and where there shall be a Fraction of a Quarter of a Mile such Fraction shall be deemed and considered as a full Quarter of a Mile; and in order to ascertain and calculate with greater Precision and Facility the Distance for which such Rates or Tolls shall be demanded and taken upon the said Railway, the said Company shall cause the said Railway to be measured, and Stones or other conspicuous Marks, with proper Inscriptions thereon, to be set up and maintained at the Distance of One Quarter of a Mile from each other.

Tables of Tolls to be set up.

XCIX. Provided always, and be it further enacted, That the said Company shall cause to be painted on Boards, and affixed and continued, and renewed as often as the same shall be obliterated or defaced, to or upon every public Wharf at which any of the Tolls, Rates, or Sums by this Act authorized shall be collected or received, and to or upon every Stop Gate or Toll House on the said Railway, in some conspicuous Place, in large and legible Characters, an Account or List of the several Rates and Tolls which the said Company shall from Time to Time direct and appoint to be taken, and of the Prices or Sums of Money to be taken for the Carriage of Parcels upon the said Railway or any Part thereof; and in case any Owner or Master of or Person having or assisting in the Charge of any Waggon or other Carriage passing upon the said Railway, or any Collector of the Rates, Tolls, or Sums aforesaid, shall, after and whilst such Account or List shall be affixed as aforesaid, demand or take more than the Amount thereon specified, such Owner, Master, Collector, or other Person as aforesaid shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

No Tolls to be taken except when Tables are affixed.

C. Provided also, and be it further enacted, That it shall not be lawful for the said Company to demand or take any Rates, Tolls, or Sums, for or in respect of any Articles, Matters, or Things, or any Carriage, but for and during such Time as the Board on which such Rates, Tolls, or Sums shall be so painted as aforesaid shall remain affixed to such public Wharf, Stop Gate or Toll House as aforesaid.

Penalty for damaging Table of Tolls or Bye Laws.

CI. And be it further enacted, That if any Person shall wilfully pull down, deface, or destroy any Board whereon any Rules, Orders, Bye Laws, Rates, Tolls, or Sums shall have been painted as aforesaid, or any Stone or Post on which shall be described or painted the Distance from Place to Place, or shall concur or aid therein, he or she shall, on Conviction, forfeit and pay a Sum not exceeding Five Pounds for every Offence.

Toll Collectors to place up their Names.

CII. And be it further enacted, That every Toll Collector shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Stop Gate, Toll House, or Toll Gate, or Wharf, whereat he shall be

on

on Duty, immediately on his coming on Duty, each of the Letters of such Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or in Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Collector of the said Rates, Tolls, or Sums shall not place as aforesaid, and keep the same there during the Time he shall be on Duty as aforesaid, or shall demand or take a greater or less Rate, Toll, or Sum from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Company made in pursuance thereof, or shall demand or take a Rate, Toll, or Sum from any Person who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or shall not permit any Person to read, or shall in anywise hinder any Person from reading, the Inscriptions on the Board to be affixed and placed as aforesaid, or shall refuse to tell his Christian or Surname to any Person who shall demand the same, on having paid the legal Rates, Tolls, or Sums, or shall in answer to such Demand give a false Name or Names, or, upon the legal Rate, Toll, or Sums being paid or tendered, shall unnecessarily detain or wilfully obstruct or prevent any Passenger from passing through any Stop Gate or Toll Gate, or shall make use of any scurrilous or abusive Language to any Treasurer, Clerk, Engineer, or to any Passenger upon the said Railway, then and in every such Case every such Toll Collector shall forfeit any Sum not exceeding Five Pounds for every such Offence.

For settling Disputes respecting Tolls.

CIII. Provided also, and be it further enacted, That if any Dispute shall arise concerning the Amount of the Rates, Tolls, or Sums due to the said Company, or concerning the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Collector or Person distraining to detain such Distress, or (as the Case may require) the Proceeds of the Sale thereof, until the Amount of the Rates, Tolls, or Sums due, or (as the Case may require) the Amount of the Charges of seizing, distraining, keeping, or selling such Distress, shall be ascertained by some Justices of the Peace for the said County, who, upon Application made to him for that Purpose, shall examine the said Matter on Oath or Affirmation of the Parties or other Witnesses, and determine the Amount of the Rates, Tolls, or Sums due, or (as the Case may be) of the said Charges; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the said Parties to the other of them as he shall think reasonable; and in case of Nonpayment thereof, on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party directed to pay the same, by Warrant under the Hand and Seal of such Justice.

Company may let to farm the Tolls.

CIV. And be it further enacted, That it shall be lawful for the said Company at any Time to let to farm the Rates, Tolls, and Sums hereby made payable, or any Part thereof, upon the Whole or any Part of the said Railway, unto any Person or Persons, for any Term which they shall think proper, not exceeding Three Years from the Commencement of any such Lease, and to commence in Possession, or within Six Calendar Months next after granting the same; and every such Lease shall be valid and effectual, and the respective Lessees thereof,

and

and also such Persons as such Lessees shall appoint to collect and receive the Rates, Tolls, or Sums so let, shall during the Continuance of any such Lease be deemed Collectors of the Rates, Tolls, or Sums so let, but for the proper Use of the Lessees, and shall have the same Power and Authority for collecting and recovering the same as if they had been appointed for that Purpose by the said Company; provided that public Notice of the Intention to let the said Rates, Tolls, and Sums, or the Part thereof intended to let, shall be given in Writing by the said Company by Advertisement published in some Newspaper or Newspapers circulated within the said Town of *Belfast* at least Ten Days.

Drivers of Waggons to give account of Lading.

CV. And be it further enacted, That the respective Owners or Persons having the Care of Waggons or other Carriages passing upon the said Railway shall give an exact and true Account, in Writing signed by them, to the Collectors of the Rates, Tolls, or Sums, at the Places where they shall attend for that Purpose, of the Quantity of Goods and other Things as aforesaid which shall be in the Waggons or other Carriages so belonging to or under their Care, and from whence Waggons or other Carriages are brought, and where the same are intended to be unloaded or left; and if the Goods or other Things contained in any such Waggon or other Carriage shall be liable to the Payment of different Rates, Tolls, or Sums, then such Owners or other Persons shall specify the respective Quantities liable to each or any of the said Rates, Tolls, or Sums; and in case any such Owner or other Person as aforesaid shall neglect or refuse to give and deliver such an Account, or to produce his Bill of Lading to any Collector demanding the same, or shall give a false Account, or shall deliver any Part of his Lading or Goods at any other Place than is mentioned in such Account, with an Intent to avoid the Payment of any of the said Rates, Tolls, and Sums, and shall be thereof convicted before any Justice of the Peace for the said County, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings for every Ton of Goods, and so in proportion for any less Quantity than a Ton, which shall be in such Waggon or other Carriage of which such Account shall be so neglected or refused to be given, or concerning which such Bill of Lading shall not be produced as aforesaid, or of which a false Account shall have been given, or which shall be fraudulently delivered out as aforesaid, as the Case shall happen, over and above the Rate, Toll, or Sum to which such Articles or Things may be liable.

For settling Difference as to Weight of Goods.

CVI. And for better ascertaining the Tonnage of Goods and other Things to be charged with the Payment of such Rates or Tolls, be it further enacted, That One hundred and twelve Pounds Weight shall be deemed One Hundred Weight, and Twenty such Hundred Weight shall be deemed One Ton; and for ascertaining the Tonnage of Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Beech, and Ash, and Fifty Cubic Feet of all other Timber, shall be deemed One Ton Weight; any Usage to the contrary notwithstanding.

For ascertaining Tonnage of Goods.

CVII. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates, Tolls, or Sums, or any Toll Keeper, Officer, or Servant of the said Company, and any Owner of or Person having the Charge of any Waggon or other Carriage passing upon the said Railway, or any Goods or other Things in or on such Waggon

or Carriage, it shall be lawful for such Collector or other Officer as aforesaid to stop and detain any such Waggon or other Carriage, and to weigh, measure, and gauge, or cause to be weighed, measured, and gauged, such Waggon or other Carriage, and all such Goods and other Things as shall be therein or thereon; and in case the same shall, upon such weighing, measuring, and gauging, appear to be of greater Weight or Quantity than shall be stated in the Account given thereof as aforesaid, then the Person giving in such Account shall pay, and the Owner of such Waggon or other Carriage, and the respective Owners of such Goods and other Things, shall also, at the Option of the said Company, be liable to pay, the Costs and Charges of such weighing, measuring, and gauging; all which Costs and Charges, upon Refusal of Payment thereof on Demand, shall and may be recovered and levied by and in such Ways and Manner as the said Rates, Tolls, and Sums are herein authorized to be recovered and levied; but if such Goods or other Things shall appear to be of the same or of less Weight or Quantity than shall be stated in such Account, then the said Company shall pay the Costs and Charges of such weighing, measuring, or gauging, and shall also pay to such Owner of or Person having charge of such Waggon or Carriage, and to the respective Owners of such Goods or other Things, such Damage as shall appear to any Justice of the Peace for the County of *Antrim*, on the Oath of any credible Witness, to have arisen from or by such Detention; but in case it shall at any Time be made appear to such Justice, upon the Complaint of the said Company, and upon the like Oath, that such Detention, and weighing, measuring, or gauging, was without reasonable Ground or Belief, or that it was vexatious on the Part of such Collector or other Officer as aforesaid, then such Collector or other Person as aforesaid shall himself pay the Costs and Expences of such weighing, measuring, and gauging, and shall also pay to such Owner or Person, or to the respective Owners of such Goods or other Things as aforesaid, such Damage as shall appear to such Justice to have arisen from such Detention; and in default of immediate Payment thereof by the said Company, or by such Collector or other Officer as aforesaid (as the Case may be), the same may be recovered by Distress and Sale of the Goods of the said Company, or of the said Collector or other Officer as aforesaid (as the Case may be), by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon Demand, after deducting the Costs of such Distress and Sale, to the said Company, or to the said Collector or other Officer as aforesaid (as the Case may be).

Names of Owners to be affixed to Waggons.

CVIII. And be it further enacted, That the respective Owners of Waggons or other Carriages passing upon the said Railway shall cause their Names and Places of Abode, and the Number of their respective Waggons or other Carriages, to be entered with the Clerk of the said Company, and shall also cause such Names, Places of Abode, and Numbers to be painted and continued in large White Capital Letters and Figures on a Black Ground, Two Inches in Length at least, and of a proportionate Breadth, on some conspicuous Part of the Outside of every such Waggon or other Carriage, so as always to be open to View, and shall permit every such Waggon or other Carriage to be weighed, measured, and gauged at the Expence of the said Company, whenever it shall be required by them, or by any Person by them appointed for that Purpose, and shall mark in like Manner the Weight and Gauge of every such Waggon or other Carriage on some con-

conspicuous Part of the Outside thereof; and every Owner of or other Person having the Care of any Waggon or other Carriage, or who shall conduct the same upon the said Railway, without having such Waggon or other Carriage previously weighed, measured, and gauged, and without having such Weight and Gauge, and such Names, Residence, and Figures marked thereon respectively, as herein-before directed, or who shall alter, erase, deface, or hide such Weight, Gauge, or Names, Residence or Figures, or any of them, or any Part, or shall fix thereon any false Weight, Gauge, Name, Residence, or Figure, or shall refuse to permit, or shall not permit any such Waggon or other Carriage to be weighed, measured, or gauged, shall forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings for every such Offence.

Owners of Waggons liable for Damage caused by their Waggons or Servants.

CIX. And it is further enacted, That the respective Owners of Waggons or other Carriages passing upon the said Railway shall be and they are hereby made answerable for any Trespass, Damage, or Mischief which may be done by their Waggons or other Carriages, or by any of the Waggoners or Drivers or other Persons belonging to or employed by them, to the said Railway, or to any Bridges, Engines, Embankments, Cuttings, Inclined Planes, Tunnels, or other Works or Conveniences made by virtue of this Act, either by loading or unloading such Waggons or other Carriages, or by any Means whatsoever; and every such Owner shall for every such Trespass, Damage, or Mischief, upon Conviction of any such Waggoner, Driver, or other Person before some Justice of the Peace, either by the Confession of the Party offending or upon the Oath of some credible Witness, pay to the said Company, or to the Person injured the Damages to be ascertained by such Justice, so that the same do not exceed the Sum of Twenty Pounds, and also shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding Five Pounds, and all Costs, Charges, and Expences attending such Conviction; all which Damages, Penalties, and Costs shall be levied by Distress and Sale of the Goods and Chattels of the Owner or Owners of such Waggon or other Carriage, by Warrant under the Hand and Seal of such Justice; and the Overplus (if any) of the Proceeds of such Sale, after Deduction of such Damages, Penalties, and Costs, together with the Costs and Charges of such Distress and Sale, shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattels; but if the Value or Amount of such Trespass, Damage, or Mischief shall exceed the Sum of Twenty Pounds, the Owner or Owners of such Waggon or other Carriage, and his, her, or their Executors or Administrators, may be sued and prosecuted for the same in any of His Majesty's Courts of Record, and if a Verdict or Judgment shall be given against him, her, or them, either upon Proof made or by Default or upon Demurrer, the Plaintiff in any such Case shall recover his Damages sustained as aforesaid, with full Costs of Suit.

Owners may recover Amount of Damages from their Servants.

CX. Provided always, and be it further enacted, That in case any Owner of any Waggon or other Carriage passing upon the said Railway shall be compelled to pay any Penalty or to make any Satisfaction for any Damage by reason of any wilful Act, Neglect, or Default of any of his or her Servants, every such Servant shall be liable to pay such Penalty or Satisfaction for Damages, or both, (as the Case may be,) with the Costs attending

the same, to such Owner; and in case of Nonpayment thereof on Demand, and Oath made by such Owner of the Payment by him or her of such Penalty and Satisfaction, or either of them, (as the Case may be,) and that the same have not nor hath not been repaid to him or her by such Servant, although demanded, (such Oath being made before some Justice of the Peace for the County or Place in which such Penalty or Damages was or were incurred,) such Penalty and Satisfaction, or either of them, (as the Case may be,) and the Costs aforesaid, shall be levied by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction, or either of them, (as the Case may be,) and Costs and Charges as aforesaid, when recovered, shall be paid to such Owner in discharge of such Penalty and Satisfaction, or either of them, and the Costs so by him or her paid for the wilful Neglect or Default of such Servant as aforesaid; and in case no sufficient Distress can be had, such Justice shall and is hereby required to commit such Servant to some Common Gaol or House of Correction for the said County or other Place, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Recovery of Rates.

CXI. And be it further enacted, That the Rates, Tolls, or Duties herein authorized to be demanded and taken shall be paid to such Person or Persons, at such Place or Places at, upon, or near the said Railway, in such Manner and under such Regulations as the said Company shall direct or appoint; and in case of Refusal or Neglect of Payment of such Rates, Tolls, or Duties, or any Part thereof, on Demand, to the Person or Persons appointed to receive the same as aforesaid, the said Company may sue for and recover the same by Action of Debt or upon the Case in any of His Majesty's Courts of Record, or the Person or Persons to whom such Rates, Tolls, or Duties ought to have been paid may, and he or they is or are hereby authorized to seize the Goods or other Things for or in respect whereof any such Rates, Tolls, or Duties ought to have been paid, or any Part thereof, and the Horse, Cattle, Waggon, or other Carriage or Carriages laden therewith, or any Part of the Stores, Tackle, Apparel, or Furniture, and detain the same until such Payment shall be made, together with reasonable Charges for such Seizure and Detention; and if such Goods shall not be redeemed within Fourteen Days next after the taking thereof, the same shall be appraised and sold as the Law directs in Cases of Distress for Rent.

Penalty on Persons obstructing the Passage on the Railway or the Execution of this Act.

CXII. And be it further enacted, That if any Person shall throw any Gravel, Stones, or Rubbish, or any other Matter or Thing, upon any Part of the said Railway to be made by virtue of this Act, or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act, or shall do any other Act, Matter, or Thing to obstruct the free Passage of the said Railway or any Part thereof, every Person so offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Penalty on destroying Works.

CXIII. And be it further enacted, That if any Person shall wilfully or maliciously, and to the Prejudice of the said Undertaking, break, throw down, destroy, damage, steal, carry, or take away any Part of the said Railway or other Works to be erected and made by virtue of this Act, and

and be thereof lawfully convicted, such Person shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by or before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person to be transported for the Term of Seven Years, or, in mitigation of such Punishment, such Court may, if they think fit, award such Sentence as the Law directs in Cases of Felony.

Company to regulate Passage of Carriages on the Railway.

CXIV. And be it further enacted, That it shall and may be lawful for the said Company from Time to Time to make such Orders and Regulations as they shall think proper, for or relating to Waggons or other Carriages passing upon the said Railway, and for or relating to the Powers to be used for propelling such Waggons or Carriages, and also for or relating to the Speed with which they shall travel, and also for the Loading thereof respectively, and for passing or using the said Railway, or other Acts by this Act authorized, and also for the Delivery of Goods, Merchandize, and other Matters and Things which shall be conveyed in or upon such Waggons or other Carriages, and generally for using and working such Railway; and all such Orders and Regulations shall be submitted to Two or more Justices of the Peace for the said County of *Antrim*, and when ratified by such Justices shall be binding upon and be conformed to by said Company, and by all Owners of and Persons having the Care or Conduct of such Waggons or other Carriages, and by all Persons using or working the said Railway, upon pain of forfeiting a Sum of not exceeding Five Pounds for every Default.

Loading of Carriages not to extend beyond Two Feet over the Wheel.

CXV. And be it further enacted, That if the Loading of any Waggon or other Carriage using the said Railway shall be suffered to extend more than Two Feet over and beyond the Flanch or Lip of each or any Wheel of such Waggon or other Carriage, or if any Waggon or other Carriage, or any Goods, Merchandize, Article, Matter, or Thing, shall be placed or suffered to remain on any Part of the said Railway or other Works so as to obstruct the Passage or working thereof, and the Person having the Care of such Waggon or other Carriage, Goods, Merchandize, Article, Matter, or Thing, shall not immediately upon Request made remove the same, then and in every such Case, and without Prejudice to any other Clause in this Act contained, such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings for every Hour during which such Obstruction shall continue after the making of such Request, and so in proportion for any less Period than an Hour; and it shall be lawful for any Agent or Officer of the said Company to cause any such Waggon or other Carriage, Goods, Merchandize, Article, Matter, or Thing, to be unloaded, if necessary, and to be removed in such Manner as shall be proper for preventing, terminating, or removing such Obstruction, and to detain such Waggon or other Carriage, Goods, Merchandize, Article, Matter, or Thing, or any Part thereof, until the Charges occasioned by such unloading or removing shall be paid; and the said Company shall not, nor shall any Agent or Officer of the said Company, be liable or accountable for any Damage or Loss occasioned by any such unloading or Removal, or for any Delay occasioned thereby, nor in any way relating thereto, except for wilful Damage done to any Waggon, Carriage, or Goods so unloaded or removed, nor shall they or he be liable for the safe Custody of any such Waggon or other Carriage, or

any

any Goods which shall be removed, unless the same shall be wrongfully detained by the said Company, or by the said Agent or Officer, and then only for so long a Time as the same shall be detained.

Company to make and maintain Bridges, Gates, &c.

CXVI. And be it further enacted, That the said Company shall, at their own Expence, after any Part of the said Railway shall be laid out and formed, forthwith make and set up, and from Time to Time maintain, such and so many convenient Gates in or upon or adjoining the said Railway, and such Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages over, under, or by the Side of or leading to or from the said Railway and the said Road or Highway, of such Dimensions and in such Manner, as Two or more Justices of the Peace for the County of *Antrim* shall from Time to Time judge necessary and appoint (in case there shall be any Dispute about the same), for the Use of the Owners and Occupiers of the Lands and Grounds through which the said Railway and Road shall be made, or for protecting the said Lands and Grounds from Trespass, or the Cattle or other Property of the Owners or Occupiers thereof from straying or escaping thereout by reason of such Railway or Road, or any other Matter or Thing to be done in pursuance of this Act; and all such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages so to be made as aforesaid shall from Time to Time and at all Times hereafter be maintained in sufficient Repair and Condition by the said Company; and for the Purpose of enabling the said Company to make or set up such Gates, Bridges, Arches, Hollows, Culverts, Fences Ditches, Drains, and Passages, and from Time to Time to maintain the same, the said Company, their Agents, Surveyors, and Workmen, are hereby authorized and empowered to enter into and upon all Lands and Grounds adjoining the said Railway and Road, and to load and carry the Materials for making or repairing such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages, in Carts and other Carriages, across or along such Lands or Grounds, in such Manner as to do as little Damage as may be to the same; and in case the said Company shall refuse or neglect to make or set up or to maintain such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages, as herein-before directed, or any of them, for the Space of Ten Days next after the Time to be appointed for those Purposes respectively by such Justices, it shall be lawful for the respective Owners or Occupiers of the said Lands or Grounds who shall find themselves aggrieved by such Neglect or Refusal to make and set up, or (as the Case may require) to maintain and repair, such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as the said Justices shall have before directed or appointed to be made and set up as aforesaid, so that in making or repairing and maintaining such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as aforesaid the said Railway, or any of the Works by this Act authorized to be made and directed by the said Company, shall not be obstructed for any longer Space of Time, or be injured in any other Manner, than shall be unavoidably necessary for the doing thereof; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Justices, shall be repaid to the respective Owners or Occupiers of the said Lands or Grounds who shall have so made and set up, repaired, or maintained such Gates, Bridges, Arches, Hollows, Culverts, Fences, Ditches, Drains, and Passages as aforesaid, by the said Company, within the Space of Ten Days next after

the same shall have been so settled and allowed, and of which an Account and Demand in Writing shall have been delivered to and made from the said Company; and in default of Payment of the said Costs and Charges within the Time aforesaid the said Justices are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company, for the Use of the Party to whom such Costs and Charges shall have been allowed, rendering the said Company the Overplus (if any), after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; and the said Owners or Occupiers, upon Refusal or Neglect by the said Company to pay the Costs and Charges as aforesaid, shall and may also have such and the like Remedy against them for the Recovery thereof, by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is by this Act directed; Provided always, that no Bridge or Arch shall be required to be erected or made, or shall be erected or made, over or under the said Railway or any Part thereof, at or in any Place or Manner at or in which the same would if so made prevent or obstruct the working or using of the said Railway.

When Gates are deemed insufficient, Owners of Lands adjoining empowered to make others.

CXVII. Provided always, and be it further enacted, That if any of the Owners or Occupiers of any Lands, Tenements, or Hereditaments through which the said Railway shall be made shall at any Time apprehend that any of the Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, or Passages which the said Justices shall have so directed or appointed to be made by the said Company are insufficient either in Number or Situation for the commodious Use or Occupation of the respective Lands, Tenements, or Hereditaments through which the said Railway shall pass, it shall be lawful for any such Owner or Occupier, with the Consent of the said Company, upon Request made to them, or in case of their Refusal for the Space of Ten Days next after such Request, then with the Consent of the said Justices, to make and erect, at the Costs and Charges of such Owners and Occupiers, any other Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, or Passages, of the same or like Construction or Form with those made and erected by the said Company, in, upon, along, or near to the said Railway, in such Places as shall be found and adjudged most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation of such Lands, Tenements, or Hereditaments, which thenceforth shall be repaired and maintained by and at the Costs and Charges of the respective Owners or Occupiers for the Time being of the respective Lands, Tenements, or Hereditaments the respective Owners or Occupiers of which shall have made or erected the same, so that the Passage through or along the said Railway be not prevented or obstructed thereby for any longer Space of Time or in any other Manner than the same would necessarily have been if such Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, and Passages had been made or erected by the said Company.

Penalty for passing along the Railway without Leave.

CXVIII. And be it further enacted, That if any Person (save and except the said Company, and Agents and Servants employed by them, and by them only for the Purposes of the said Railway,) shall ride, lead, or drive, or cause to be ridden, led, or driven, or aid or assist in leading or driving, upon such Railway or on any Part thereof, without the Licence and

Consent of the said Company, any Horse, Mule, or Ass, or shall lead or drive, or cause to be led or driven thereon, or aid or assist in leading or driving, any Cows or other Neat Cattle, Sheep, Swine, or any other Beast or Animal, except only in directly crossing at the same Places to be appointed for that Purpose, and except also in passing along the same, as aforesaid, for the necessary Occupation of the respective Lands throughout which the said Railway may be laid, every Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings for every such Offence.

Foot Passengers not to use the Railway.

CXIX. And whereas it might be very injurious to the said Railway, and inconvenient and dangerous to the Public, if the said Railway were permitted to be used by Persons on Foot; be it therefore further enacted, That if any Person, save and except the said Company, and Agents and Servants employed by them, and by them only for the Purposes of the said Railway, shall travel or pass on Foot upon the Railway by this Act authorized to be made, without the Licence and Consent of the said Company, (except for the Purpose of attending any Waggon or other Carriage under his Care, and also except the Owners or Occupiers of any of the Lands or Premises adjoining to the said Railway, their Families, Agents, or Servants, in passing across or along the same, as herein-before authorized, to and from the respective Lands or Grounds through which the said Railway may be made,) every Person so offending shall forfeit and pay to the said Company any Sum not exceeding Five Pounds for every such Offence.

Regulating Weights to be carried on the Railway.

CXX. And be it further enacted, That no Waggon or other Carriage shall carry at any One Time upon any Part of the said Railway, including the Weight of such Waggon or Carriage, more than Four Tons, except in any One Piece of Timber, Block, or Stone, Boiler, Cylinder, Bob, or single Piece of Machinery, or other single Article, which shall nevertheless not exceed the Weight of Eight Tons, including the Weight of the Waggon or Carriage, and for the Tonnage or Carriage of which the said Company are hereby authorized to receive and take such Rates as they may from Time to Time direct or appoint, not exceeding One Shilling *per* Ton *per* Mile; and no Piece of Timber, Stone, Machinery, or other Article exceeding the Weight of Eight Tons, including the Weight of the said Waggon or other Carriage, shall be carried upon any Part of the said Railway without the special Licence of the said Company or their Agents, and for the Tonnage or Carriage of which the said Company are hereby authorized to receive and take such Rates as they may deem proper.

Penalty for leaving Gates open.

CXXI. And be it further enacted, That all Persons opening any Gate set up across the said Railway shall and they are hereby respectively required, as soon as they, and the Waggon or other Carriage under their Care, or which they may accompany, shall have passed through the same, to shut and fasten the said Gate; and every Person neglecting so to do shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings; and the Money to arise by such Forfeitures shall be paid, One Half Part thereof to the Informer, and the Residue thereof to the Poor of the Parish wherein such Offence shall be committed.

CXXII. And

Company may make Contracts for their Works.

CXXII. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized to contract and agree with any Person and Persons for making the said Railway or any Part thereof, or any other of the Works hereby authorized to be made or done by the said Company, and that in such Manner, and for such Sums, and under such Regulations and Restrictions as the said Company shall think proper; and all Contracts in Writing for any of the Purposes aforesaid shall be binding on the said Company and all other Parties thereto, their respective Heirs, Executors, and Administrators, and Actions and Suits may be maintained thereon, and Damages and Costs recovered against the said Company, or any of the Parties failing in the Execution thereof.

Company to make Arches, Culverts, &c.

CXXIII. And be it further enacted, That the said Company shall and they are hereby required, at their own proper Costs and Charges, to make such Arches, Tunnels, Culverts, Drains, or other Passages over, under, or by the Side of the said Railway, and the Fences on the Sides thereof respectively, of such Breadth, Depth, and Dimensions as shall be sufficient at all Times to convey the Water as clearly from the Lands or Grounds adjoining or lying near to the said Railway as before making the said Railway, without Obstruction or impounding the same Water to the Prejudice of any of the said Lands or Grounds, and also to make proper Watering Places for Cattle in all Cases where by means of the said Railway the Cattle of any Person occupying Lands or Grounds adjacent thereto shall be deprived of as easy Access as before, to their ancient Watering Place, and to supply the same at all Times with Water from such Rivers, Brooks, Streams, or Springs of Water as would have supplied the Cattle of such Person if the said Railway had not been made, or from any other Source or Feeder which can readily be obtained for that Purpose; and it shall be lawful for the said Company and they are hereby required from Time to Time to make such and so many Watercourses and Drains by the Side of, along, or under the said Railway, or in, through, over, and across any Lands or Grounds thereto adjoining, of such Dimensions and in such Manner, and with such proper and convenient Bridges over and Tunnels for the same respectively, as any Two or more Justices of the Peace for the said County of *Antrim*, as the Case may require, shall from Time to Time judge necessary and appoint (in case there shall be any Dispute about the same) for the Purpose of conveying Water from such Rivers, Brooks, or Springs, or other Sources or Feeders, to the said Watering Places respectively; and all such Arches, Tunnels, Culverts, Watercourses, Drains, and other Passages shall from Time to Time be supported, maintained, cleansed, and kept in good and sufficient Repair by the said Company; and if at any Time after Ten Days Notice in Writing shall be given by or on behalf of any Owner or Occupier of Land adjoining or lying near to the said Railway, to the said Company, that the said Arches, Tunnels, Culverts, Drains, Watercourses, or other Passages, or any of them, are not made, or are not cleansed, maintained, or repaired according to the true Intent and Meaning of this Act, it shall be lawful for any Person to apply for an Order in Writing from any Two or more Justices of the Peace for the said County of *Antrim* (as the Case may require), from Time to Time, as often as there shall be Occasion, and the said Justices are hereby authorized and empowered, at their Discretion, to make and grant such Orders as aforesaid, enabling such Person to make or cleanse and repair such Arches, Tunnels,

Tunnels, Culverts, Watercourses, Drains, and other Passages accordingly, and the reasonable Expences thereof (to be ascertained by such Justices) shall be defrayed by the said Company; and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of Five Days next after Demand thereof made upon the said Company, such Expences shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, in the same Manner as any other Costs and Charges may by virtue of this Act be levied and recovered upon or from the said Company.

Recovery of Damages from the Company.

CXXIV. And be it further enacted, That when and so often as any Money shall by any Justice of the Peace be ordered to be paid, in pursuance of this Act, as or by Way of Compensation or Satisfaction for any Materials or Costs, or for any Damage or Injury of any Nature or Kind soever done or committed by the said Company, or by any Person acting by or under their Authority, and such Money shall not be paid by the said Company to the Party entitled to receive the same within Twenty-one Days after Demand in Writing shall have been made from the said Company, in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant, under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Money as or by Way of Compensation or Satisfaction for any such Materials, Cost, Damage, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus of the Money arising from such Sale shall be returned, on Demand, to the Treasurer of the said Company, for the Use of the said Company or of their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Montes which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or have been put unto by virtue of any such Warrant as aforesaid.

How Notices shall be served on the Company.

CXXV. And be it further enacted, That in all Cases wherein it may be necessary for any Person or Party to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Company, Service thereof respectively upon any One of the Committee of the said Company, or delivered to some Inmate at his last or usual Place of Abode, or upon the Clerk or Treasurer of the said Company, or left at the Office of such Clerk or Treasurer, or delivered to some Inmate at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any other Agent of or Officer employed by the said Company, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Owners of adjoining Lands may make Branches to communicate with Railway.

CXXVI. And be it further enacted, That it shall be lawful for the Owners and Occupiers of the respective Lands, Tenements, or Hereditaments adjoining or lying near to the said Railway, and for all other Persons, to lay down, either upon their own Lands or upon the Lands of any other Person, with the Consent of such other Person, any collateral Branches from their respective Lands, Tenements, or Hereditaments, to communicate with the said Railway; and the said Company shall be bound to make, at the Expence of such Owners and Occupiers and other Persons as aforesaid, Openings in the Ledges or Flanches of the said Railway, for effecting such Communications in such Places as may be most convenient for that Purpose, and as may the least interfere with the Passage of the said Railway; and the said Company shall not receive any Rate, Toll, or Sum for the passing of any Goods or other Things along such Branches so to be made by any such Owner or Occupier or Person as aforesaid.

Company not obliged to make Openings in certain Places.

CXXVII. Provided always, and be it further enacted, That the said Company shall not be bound to make any such Openings in the Ledges or Flanches of the said Railway for the Purpose of effecting such Communication in any Places where they shall have erected, built, made, or set up any Building, Steam Engine, Works, Machinery, or Yard, or in any Places which they shall have appropriated or set apart for any specific Purpose, with which such Communication would interfere, nor upon any inclined Place, nor in any Tunnel; and in case any Disagreement or Difference shall arise between any such Owner and Occupier or other Persons, and the said Company, as to the proper Places for making any such Openings in the Ledges or Flanches of the said Railway, for the Purpose of such Communication, then the same shall be left to the Decision of any Two Justices of the Peace for the County of *Antrim*, whose Determination shall be binding; and such Justices are hereby authorized to take cognizance of all such References, and to act therein accordingly.

Roads may be made across the Railway by the Owners of adjoining Lands.

CXXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend to prevent any Owner of any Lands, Tenements, or Hereditaments lying adjoining or near to the said Railway from making any Railway, common Road, or Watercourse, Bridge, or Culvert, to, from, across, over, or under the said Railway hereby authorized to be made by the said Company, and to use such first-mentioned Railway, common Road, or Watercourse, Bridge or Culvert, for the Benefit of himself or herself, and of all other Persons to whom he or she may from Time to Time give leave, so that such Railway, common Road, or Watercourse, Bridge or Culvert, do no Injury to and do not prevent or impede the free Passage upon the said Railway hereby authorized to be made by the said Company; and all such Railways, common Roads, Watercourses, Bridges, and Culverts shall be made and erected under the Superintendence of the Engineer of the said Company, and according to Plans and Specifications to be submitted to and approved of by such Engineer previously to the commencing of such Railways, common Roads, Watercourses, Bridges, and Culverts respectively: Provided nevertheless, that in case any Damage or Obstruction shall be thereby done or occur to or in the said Railway or Works by this Act authorized to be made by the said Company, the same shall be forthwith repaired or removed (as the Case may be) by and at the Expence of the respective Owners of the Land for whose Benefit any such other Railway, Road, or Water-

course may be made; and if the same shall not be forthwith done, it shall be lawful for the said Company to repair such Damage, or to remove such Obstruction, and to recover the Expences attending the same, in case of Refusal or Neglect to pay the same within Ten Days after Demand thereof, by Distress and Sale of the Goods and Chattels of such respective Owners, or by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Dublin*.

Owners and Occupiers of adjoining Lands to pass across Railway without Payment of Toll.

CXXIX. And be it further enacted, That it shall be lawful for the Owners and Occupiers of the respective Lands or Grounds through which the said Railway shall be made, and his and their Servants and Workmen, Cattle and Carriages, at all Times to pass and repass directly over and across such Part of the said Railway as shall be made in and upon the said Lands or Grounds respectively, and also along such Railway as far as the Lands in their respective Occupations shall extend, for the Purpose of occupying and tilling the same, without Payment of any Toll for the same, such Person or Persons not damaging or obstructing the same Railway, or the Passage thereof, nor passing along any other Part of the same.

All Persons may use the Railway on Payment of Rates.

CXXX. And be it further enacted, That all Persons shall have free Liberty to use, with Horses, Cattle, and Carriages, the Roads, Ways, and Passages, for the Purpose of conveying any Timber, Goods, Wares, Merchandize, or other Things to or from the said Railway and every Part thereof, and also to pass upon and use the said Railway with Carts, Waggons, or other Carriages properly constructed as herein-after mentioned, upon Payment only of such Rates, Tolls, and Duties as shall be demanded by the said Company, not exceeding the respective Sums herein mentioned, and subject to the Rules and Regulations which shall be from Time to Time made by virtue of the Powers hereby granted.

No Waggon to pass unless constructed as directed.

CXXXI. And be it further enacted, That no Person whomsoever shall pass upon any Part of the said Railway with any Waggon or other Carriage whatsoever unless the same shall be constructed agreeably to the Orders and Regulations of the said Company, which Orders and Regulations shall be affixed upon a conspicuous Part of every Toll House erected on such Railway (except in passing along or crossing the said Railway for the convenient Occupation of the adjacent Grounds, or in passing any public or private Carriage Road which may happen to cross the said Railway); and if any Person or Persons whomsoever shall pass upon any Part of the said Railway with any Waggon or other Carriage not constructed in the Manner hereinbefore directed or referred to (except as aforesaid), he, she, or they shall for every such Offence forfeit to the said Company any Sum not exceeding Ten Pounds.

For fencing off Railway through private Lands.

CXXXII. And be it further enacted, That the said Company shall and they are hereby empowered and required, at their own proper Charges, after any Land shall be taken for the Use of the said Railway and other Works, to divide and separate, and keep constantly divided and separated, the same from the Lands or Grounds adjoining to such Railway and other Works with good and sufficient Posts, Rails, Hedges, Ditches, Mounds, or other Fences, in case the Owner or Owners of such Lands or Grounds adjoining to such Railway and other Works, or any of them respectively, shall at any Time desire the same to be fenced off.

CXXXIII. And

For compelling Witnesses to attend.

CXXXIII. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his or her Costs and Charges, without a reasonable Excuse for his or her Refusal or Neglect, or appearing shall refuse to be examined upon Oath or (in case of a Quaker) on solemn Affirmation, to give Evidence before such Justice, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

For ascertaining Amount of Damages when not otherwise specified.

CXXXIV. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment, or of any Dispute respecting the same, shall be ascertained and determined by some Two or more Justices of the Peace; and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment, or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

Informations need not be in Writing.

CXXXV. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to commit the Offender, and to adjudge him or her to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

For securing transient Offenders.

CXXXVI. And be it further enacted, That it shall be lawful for any Collector, Surveyor, or other Officer of the said Company, and all such Persons as they shall call to their Assistance, to seize and detain any Person, being unknown to such Collector, Surveyor, or other Officer, who shall commit any Offence against this Act, and to carry him or her before some Justice of the Peace for the County or Place where the Offence shall be committed, without any other Warrant or Authority than this Act for so doing; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

CXXXVII. And

Forms of Information and Conviction.

CXXXVII. And be it further enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act may cause the Information (whenever an Information shall be taken in Writing or in Print) and the Conviction respectively to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,)

'
' to wit. } BE it remembered, That on the Day of
' *A. B.* of informeth me, One of His
' Majesty's Justices of the Peace for that
' of [*here describe the Offence, with the Time and Place*],
' contrary to an Act passed in the Second Year of His Majesty King
' *William* the Fourth, intituled [*here insert the Title of this Act*], which
' hath imposed a Forfeiture of for the said Offence.
' Taken the Day of before me .

'
' to wit. } BE it remembered, That on the Day of
' in the Year of our Lord
' *A. B.* is convicted before me *C. D.*, One of His Majesty's Justices of the
' Peace for the County [*or* City, *as the Case may be*] of
' [*specifying the Offence, and the Time and Place when and where the same*
' *was committed, as the Case maybe*] contrary to an Act passed in the Second
' Year of the Reign of King *William* the Fourth, intituled [*here set forth*
' *the Title of this Act*]. Given under my Hand and Seal the Day and
' Year first above written.'

Distress not to be deemed unlawful.

CXXXVIII. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor any Party making the same deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity shall and may recover full Satisfaction for the special Damage by an Action upon the Case.

Persons aggrieved may appeal.

CXXXIX. And be it further enacted, That all Bodies and Persons who may think themselves aggrieved by any Order or Judgment made or given in pursuance of any Bye Law, Rule, or Order of the said Company and all other Bodies and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County or City where the Cause of Appeal shall happen to arise, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, or to the said Company, as the Case may be, and forthwith, after such Notice, entering into Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary

Way either hear and determine the said Complaint at such General or Quarter Sessions, or, if they think proper, adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for such County; and the said Justices may if they see Cause mitigate any Penalty or Forfeiture, or may order any Money to be returned which shall have been levied in pursuance of such Bye Law, Rule, Order, or Determination, and may also order any such further Satisfaction to be made to the Party injured, as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they in their Judgment shall think just and reasonable.

Proceedings not removeable by Certiorari.

CXL. And be it further enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Proceeding whatsoever into any of His Majesty's Courts of Record at *Dublin* or elsewhere, any Law or Statute to the contrary notwithstanding.

Limitation of Actions.

CXLI. Provided also, and be it further enacted, That no Action, Suit, or Information, nor any other Proceeding of what Nature soever, shall be brought, commenced, or prosecuted against any Person for any thing done or to be done in pursuance of this Act, or in the Execution of the Powers or Authorities or any of the Orders made, given, or directed in, by, or under this Act, unless Ten Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action, Suit, or Information, to the intended Defendant or Defendants, nor unless such Action, Suit, or Information shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damage, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, nor unless such Action, Suit, or Information shall be laid and brought in the same County or City where the Matter in dispute or Cause of Action shall arise; and the Defendant or Defendants in such Action, Suit, or Information may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done by the Authority of this Act; and if it shall appear to have been so done, or that such Action, Suit, or Information shall have been brought otherwise than as herein-before directed, then and in every such Case the Jury shall find for the Defendant or Defendants; upon which Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or shall suffer a Discontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants shall have appeared thereto, or if a Verdict shall pass against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cases.

Releases may be granted.

CXLII. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise for any Claim or Compensation against or for or on behalf of the said Company, and also in all Prosecutions commenced or instituted by or on behalf of the said Company, and in all Arbitrations, References, or other Proceedings in or upon, consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any One of the Committee of the said Company, for and on behalf of the said Company, to make, sign, seal, execute,

execute, and deliver such general or other Releases as may be or may be deemed necessary for the Purpose of exonerating, releasing, and discharging any Person who shall or may be produced as a Witness in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding as aforesaid, from any Claim or Demand which may be necessary to be released by the said Company, so as to qualify such Person to give Evidence as a Witness in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding aforesaid, and also to do, with the Approbation aforesaid, any other Act, Matter, or Thing in any such Action, Suit, Proceeding, Arbitration, Reference, or other Proceeding which any Plaintiff or Defendant may do in any Action, Suit, or Prosecution, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be as valid and effectual in all respects, to all Intents and Purposes whatsoever, as if the same were made under the Seal of the same Company.

Plaintiff not to recover if Tender of Amends shall have been made.

CXLIII. Provided also, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in execution of this Act, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action is brought; and in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he or she shall think fit, whereupon such Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Mode of recovering Fines and Forfeitures.

CXLIV. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences, Matters, and Things in this Act mentioned may in case of Nonpayment thereof be recovered in a summary Way, by the Order and Adjudication of One or more Justice or Justices of the Peace of the County of *Antrim;* and any such Justice or Justices is and are hereby authorized and empowered, on Complaint to him or them for that Purpose exhibited, to hear and determine of and concerning such Offences, Matters, and Things, and to fix and mitigate the said Penalties and Forfeitures according to his or their Discretion, and the Provisions in that respect herein-before contained; and such Justice or Justices is and are hereby authorized and empowered to convict the Offender or Offenders, upon Information by the Oath or Affirmation of any Person or Persons (which Oath or Affirmation such Justice or Justices is and are hereby authorized to administer) or on the Confession of the Party offending; and in default of Payment of such Penalties and Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, (the reasonable Charges of such Distress and Sale being first deducted); and in case sufficient Distress cannot be found, or such Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants

of

of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before him or them on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice or Justices is or are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be paid, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Costs, and Expences could be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for any such Justice or Justices of the Peace, and he or they is or are hereby authorized and required, by Warrant under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for any Time not exceeding Six Calendar Months, unless such Penalties or Forfeitures, Costs and Expences, shall be sooner paid and satisfied; and all such Penalties or Forfeitures (the Application whereof is not hereinbefore otherwise directed) shall be paid, one Half to the Informer, and the other Half thereof to the said Company.

Saving Rights of Lord Donegall.

CXLV. Provided always, and be it further enacted, 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 Most Honourable the Marquis of *Donegall*, his Heirs or Assigns, except so far as respects the Works hereby authorized.

Public Act.

CXLVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE to which this Act refers.

Townland of Belfast, Parish of Belfast, and County of Antrim.

Owner.	Lessee.	Occupier.	Description.
Marquis of Donegall	John Octavius Glover	James M'Clean -	Grazing Field, House, Offices, Garden, and Avenue.
Ditto - -	Same - - -	Alexander Mackay	Field and Garden.
Ditto - -	Heirs of Reverend Edward May. -	John Cohen - -	Offices and Garden.

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