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intituled *An Act to continue the Railways Act* (Ireland), 1851, shall be incorporated with and form Part of this Act.

Short Title.

II. In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "*Belfast, Holywood, and Bangor* Railway Act, 1860."

Interpretation of Terms.

III. Where in this Act the Words "the Company" occur, the same means the Company incorporated by this Act; and where the Word "Railway" occurs, the same includes the Railway, Stations, Works, and Conveniences connected therewith by this Act authorized to be made, unless there be something in the Subject or Context repugnant to such Construction.

Same Meanings to Words in this Act as in incorporated Acts.

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

Subscribers incorporated.

V. The Right Honourable *Edward* Lord Viscount *Bangor*, *Robert Edward Ward*, *David Stewart Ker*, *Godfrey Lyle*, *John Waring Maxwell*, *Robert Steele Nicholson*, *Philip Henry Despard*, *Henry Theophilus Higginson*, *John Getty Mc Gee*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway, and such Company shall be incorporated by the Name of "The *Belfast, Holywood, and Bangor* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking, within the Restrictions herein and the incorporated Acts contained.

Capital.

VI. The estimated Cost of the Railway being One hundred and fifteen thousand Pounds, the Capital of the Company shall be One hundred and fifteen thousand Pounds.

Shares.

VII. The Number of Shares into which the Capital shall be divided shall be Eleven thousand five hundred, and the Amount of each Share shall be Ten Pounds.

Calls.

VIII. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and Three Fourth Parts of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share.

IX. The

Power to borrow on Mortgage.

IX. The Company may borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Thirty-eight thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of One hundred and fifteen thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Application of Capital.

X. The Monies by this Act authorized to be raised, whether by Shares, Mortgage, or Bond, shall be applied only in carrying into execution the Objects and Purposes of this Act.

Arrears may be enforced by the Appointment of a Receiver.

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

First and other Meetings.

XII. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *February* and *August* in every Year.

Quorum of Meetings.

XIII. The Quorum to constitute a General Meeting of the Shareholders of the Company shall be Eight Shareholders present, personally or by Proxy, holding in the aggregate not less than One Tenth Part of the Capital of the Company.

Extraordinary Meetings may be convened by Shareholders.

XIV. Any Number of Shareholders holding One Tenth Part in the Capital of the Company may require the Directors to convene an Extraordinary Meeting of the Company.

Number and Qualification of Directors.

XV. Subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking.

Power to reduce the Number of Directors.

XVI. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the Number be not less than Three.

First Directors to continue in

XVII. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and

Office until First Meeting after passing of Act.

and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the First Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act mentioned, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845," and by this Act, or either of them.

First Directors.

XVIII. *Robert Edward Ward*, *David Stewart Ker*, *Philip Henry Despard*, *Robert Steele Nicholson*, and *Godfrey Lyle*, shall be the first Directors of the Company.

Quorum.

XIX. A Quorum of a Meeting of Directors shall be Three, unless the Number of Directors be reduced to Three, and in such Case the Quorum shall be Two.

Quorum of Committee of Directors.

XX. The Quorum of any Committee of Directors shall be Two.

Newspaper for Advertisements.

XXI. The Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper published in *Belfast*.

Power to make Railway according to deposited Plans.

XXII. And whereas a Plan and Section of the Railway, showing the Line and Levels thereof, with a Book of Reference to the Plan, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of the Lands through which the said Railway will pass, have been deposited with the Clerk of the Peace for the County of *Down*: Therefore it shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, and to the Powers of Deviation authorized by such last-mentioned Acts, to make and maintain the Railway, with all proper Stations, Works, and Conveniences connected therewith, in the Line or Course and upon the Lands delineated on the said Plan and described in the said Book of Reference, and according to the Levels described on the said Section; and the Company may enter upon, take, and use such of the said Lands delineated on the said Plan and described in the said Book of Reference as shall be necessary for all or any of such Purposes.

XXIII. It

Describing Railway.

XXIII. It shall be lawful for the Company to make and maintain the Railway following, with all proper Stations, Works, and Conveniences connected therewith; (that is to say,)

A Railway commencing by a Junction with the *Holywood* Branch of the *Belfast and County Down* Railway at a Point near to or at a short Distance from the South-west Corner of the Passenger Station in the Town of *Holywood*, and terminating in the Town of *Bangor* at or near the Point where *Catherine's Place* forms a Junction with *Church Street*.

As to Deposit of Plans with Clerks of Unions.

XXIV. Inasmuch as by "The Railways Clauses Consolidation Act, 1845," it is provided, that Certificates of any Omissions, Mis-statements, or erroneous Descriptions in certain Plans and Books of Reference therein referred to should be deposited with the Postmaster of the Post Towns in or nearest to the several Parishes in *Ireland* in which the Lands affected thereby should be situate; and inasmuch as it is also provided that certain Plans and Sections of such Alterations in the original Plans and Sections as shall have been approved of by Parliament should also be deposited with such Postmasters, and be retained and produced by them for Inspection in manner therein mentioned; and inasmuch as, in compliance with the present Standing Orders of both Houses of Parliament, the several Plans, Sections, and other Documents heretofore required to be deposited with the Postmasters of the Post Towns in *Ireland* are now deposited with the Clerks of the Unions instead of such Postmasters: Therefore, with reference to this Act, all the Provisions of "The Railways Clauses Consolidation Act, 1845," relating to the Matters aforesaid, and to the Expression "Postmasters of the Post Towns in or nearest to such Parishes in *Ireland*," or the Word "Postmaster" in the said Act, shall be read and construed as if the Expression "Clerks of the Unions within which such Parishes are included in *Ireland*," or the Words "Clerk of the Union," as the Case may be, had been used and inserted in such Act in lieu of the Expression "the Postmaster of the Post Towns in or nearest to such Parishes in *Ireland*," or in lieu of the Word "Postmaster," as the Case may be.

Lands for additional Stations, &c.

XXV. The Quantity of Land to be purchased by Agreement by the Company for the extraordinary Purposes mentioned in the said Railways Clauses Consolidation Act shall not exceed Two Acres.

Powers for compulsory Purchases limited.

XXVI. The Powers of the Company for the compulsory Purchase of Lands shall not be exercised after the Expiration of Two Years from the passing of this Act.

Company to purchase

XXVII. If the Company desire to take any Part of the Lands of which *Thomas Greg* is or claims to be the Owner, numbered on the

certain Lands of Mr. Greg.

deposited Plans 26, 27, 28, and 30 in the Townland of *Ballycultra*, the Company shall, if required by the said *Thomas Greg*, purchase the whole of those Lands.

Period for Completion of Works.

XXVIII. If the Railway be not completed within Three Years from the passing of this Act, then on the Expiration of such Period the Powers by this Act granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Mode of effecting Communication with Belfast and County Down Railway.

XXIX. The Communication between the Railway and the *Belfast and County Down* Railway shall be effected in a substantial Manner by means of Connexion Rails and Points of the Construction and laid in the Manner which the Engineer for the Time being of the *Belfast and County Down* Railway Company may from Time to Time approve, and shall be executed to his reasonable Satisfaction in all respects: Provided always, that in case of Difference between such Engineer and the Engineer of the Company with respect to any Works for effecting such Communications, the same shall be determined by an Engineer to be appointed by the Board of Trade.

Expenses of Communication to be borne by the Company.

XXX. The Expenses of the Communication hereby authorized with the *Belfast and County Down* Railway, and all the necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, and amending such Communication, and for repairing and maintaining such Rails and Points, shall be borne and paid by the Company, and such Communication, Openings, and Works shall be in the first instance made, and be afterwards from Time to Time altered, amended, repaired, and maintained, under the Direction and Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the *Belfast and County Down* Railway Company, and in such Manner and by such Ways and Means respectively as shall not injure the *Belfast and County Down* Railway, or impede or interfere with the free, uninterrupted, and safe Passage along the same.

Signals, &c. to be erected and maintained, and proper Persons to be provided by the Belfast and County Down Railway Company, to prevent Danger at Point of Junction.

XXXI. The *Belfast and County Down* Railway Company may from Time to Time erect, maintain, and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, and other Servants, as that Company may deem necessary for the Prevention of Damage to or Detention of or Interference with Traffic at or near the Junction of the *Belfast and County Down* Railway with the Railway hereby authorized; and the Working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, and other Servants, shall belong exclusively to the *Belfast and County Down* Railway Company; and all the Costs

and

and Expenses during each Half Year of erecting and maintaining and altering such Signals, Works, and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall at the Expiration of each Half Year be repaid by the Company to the *Belfast and County Down* Railway Company, on Demand, and in default the Amount of such Costs and Expenses may be recovered from the Company by the *Belfast and County Down* Railway Company in any Court of competent Jurisdiction.

Saving Rights of Belfast and County Down Railway Company.

XXXII. Provided always, That, except as is by this Act expressly provided, this Act shall not in any way take away, diminish, alter, or prejudice any of the Rights, Privileges, Powers, or Authorities of the *Belfast and County Down* Railway Company.

Not to take Lands of Belfast and County Down Company, save for Junction.

XXXIII. Nothing in this Act contained or in the Acts incorporated therewith shall authorize the Company to take any Land, Houses, or Tenements the Property of the *Belfast and County Down* Company, save what is required for effecting a Junction of the proposed Line with the Line of the *County Down* Company at the Point shown on the deposited Plan, without the Consent of the *Belfast and County Down* Company for that Purpose first had in Writing under their Common Seal.

Company to make an ornamental Passenger Station in the Townland of Cultra.

XXXIV. The Company shall and they are hereby required, before the Railway shall be opened for public Traffic, to construct a good and sufficient Passenger Station upon the Railway in the Townland of *Cultra*, with proper Approaches thereto, in or near the Property numbered on the Plans deposited as aforesaid 43 in the said Townland, where an intended new Road leading from the public Road to the Sea Shore, as laid down upon a lithographed Plan of the *Cultra* Demesne, signed by *Charles Lanyon*, Civil Engineer, will cross the Railway, or in such other Situation as may be agreed upon between the Company and the Owner of the *Cultra* Estate; and such Station shall be of an ornamental Character, and shall be constructed and for ever thereafter subsequently maintained by the Company to the Satisfaction of the Owner for the Time being of the *Cultra* Demesne; and if any Dispute shall arise between the Company and such Owner as to the Construction or Sufficiency or Position or Maintenance of such Station, every such Dispute shall be settled by an Engineer to be appointed by the Board of Trade, at the Cost of the Company.

One Half of the Trains each Way daily to stop at such Station.

XXXV. The Company for the Time being working the Traffic on the Railway shall cause at least One Half of the Trains from Time to Time appointed by them to run upon the Railway for the Conveyance of Passengers each Way on every Day (except *Sunday*, *Good Friday*, *Christmas Day*, and any Day set apart as a Day of Public Fast or Thanksgiving,) to stop at the said Station in the Townland of *Cultra*;

and

and if One Half of such Trains each Way daily (except as aforesaid) shall fail to stop at such Station, such Company shall be liable to a Penalty of Ten Pounds for every Day during which or a Portion of which such Failure may happen or continue.

Deposit in Court of Chancery to be forfeited to the Crown on a certain Event.

XXXVI. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of Nine thousand two hundred Pounds, being Eight *per Centum* upon the Amount of the estimated Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in *Ireland*, pursuant to the same Act: Be it enacted, That, notwithstanding anything contained in the last-recited Act, the said Sum of Nine thousand two hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Nine thousand two hundred Pounds shall have been executed by the Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs and Successors, of the said Sum of Nine thousand two hundred Pounds, if the Company shall not within the Time limited for the Completion of the said Railway either open the said

said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest and Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond had been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

No Deviation seaward without Consent of Admiralty.

XXXVII. Where the Railway skirts *Belfast Lough* at *Holywood* the Railway and other Works shall not deviate seaward of the continuous centre Line of Way marked on the Plan deposited at the Admiralty without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only in such Manner as may be mentioned in any such Consent.

If Deviation made without Consent, Admiralty may abate the same.

XXXVIII. If any Deviation which requires the previous Consent of the said Lord High Admiral or the said Commissioners be made without such Consent, it shall be lawful for the said Lord High Admiral or the said Commissioners to abate every such Deviation, or any Part thereof, and the Cost of every such Abatement shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

As to Access to tidal Lands.

XXXIX. Where the Railway cuts off or will cut off Access between the Land and Water, the Company shall during the Formation of the Line of Railway, and from Time to Time thereafter, make and for ever maintain, and allow to be used by all Persons and at all Times, free of Toll or other Charge, all such Footways and Carriageways over, under, or across the Railway or on a Level therewith as the said Lord High Admiral or the said Commissioners shall at any Time or from Time to

Time require, such Requirement to be signified in Writing under the Hand of the Secretary of the Admiralty: Provided always, that the Company shall not be required to make such Footways or Carriageways in such a Manner as would prevent or obstruct the working or using of the Railway, nor to make any such Footways or Carriageways over any Lands for the Use of Owners and Occupiers who shall have agreed to receive and shall have been paid Compensation for the Severance of such Lands from the Shore: Provided also, that the Expense of making and maintaining such Footways or Carriageways shall be defrayed by the Body or Persons interested in the Shore for whose Benefit or Convenience such Crossing shall be required; and if any such Carriageway be made across the Railway on the Level, then the Manner of making and watching such level Crossing shall be subject to the Approval of the Board of Trade; and all Expenses attending the watching of such level Crossing shall in like Manner be paid by the Body or Persons interested in the Shore for whose Benefit or Convenience such level Crossing shall have been made.

Admiralty may order local Survey, at Expense of Company.

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

Works affecting tidal Waters abandoned may be removed by Admiralty, at Expense of Company.

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

Tolls.

XLII. It shall be lawful for the Company to demand any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

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

For all Dung, Compost, and all Sorts of Manure, Lime, and Lime-stone, and all undressed Materials for the Repair of public Roads

or

or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

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

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

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

For every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence;

And a further Sum of One Penny *per* Mile for every additional Quarter of a Ton which any such Carriage may weigh.

Tolls for Passengers and Cattle.

XLIII. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows; (that is to say,)

For every Person conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Horse, Mule, or Ass conveyed in or upon any such Carriage, *per* Mile not exceeding Fourpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For

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

Tolls for propelling Power.

XLIV. The Tolls which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall be in addition to the several other Tolls by this Act authorized to be taken, but the Amount of such additional Tolls shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles.

Maximum Charges for Conveyance of Passengers.

XLV. The maximum Rates of Charges to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, the Sum of Twopence Halfpenny *per* Mile:

For every Passenger conveyed in a Second-class Carriage, the Sum of One Penny Halfpenny *per* Mile:

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny *per* Mile.

Maximum Charges for the Conveyance of Goods and Cattle.

XLVI. It shall not be lawful for the Company to charge, in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals herein-after mentioned, conveyed on the Railway, any greater Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, than the several Sums herein-after mentioned; (that is to say,)

For all Dung, and all other Articles herein-before classed therewith, *per* Ton *per* Mile One Penny Halfpenny:

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

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

For all Cotton, and other Articles herein-before classed therewith, and all other Wares, Articles, Matters, or Things, *per* Ton *per* Mile Fourpence:

For every Carriage, of whatever Description, unaccompanied by Passengers, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile Sixpence; and for every additional Quarter of a Ton above One Ton, *per* Mile One Penny:

For every Horse, Mule, or Ass conveyed in or upon any Carriage, *per* Mile Fivepence:

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any Carriage, *per* Mile Twopence:

For every Calf or Pig, *per* Mile One Penny; and for every Sheep, Lamb, or other small Animal conveyed in or upon any Carriage, *per* Mile Three Farthings.

Regulations as to Tolls.

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

For Articles or Persons conveyed on the Railway for a less Distance than Three Miles the Company may demand Tolls and Charges for Three Miles:

For a Fraction of a Mile above Three Miles or beyond any greater Number of Miles the Company may demand Tolls on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers every Fraction of a Mile shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and single Articles of great Weight.

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

For the Carriage of small Parcels on the Railway or any Part thereof, as follows:

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

For any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds in Weight, Sixpence:

For any Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, Ninepence:

And for every Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, One Shilling:

And for any Parcel exceeding Fifty-six Pounds but not exceeding Five hundred Pounds in Weight the Company may demand any Sum they think fit: Provided always, that Articles sent in

large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, Bob, or other Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Six Tons, the Company may demand such Sum as they think fit, not exceeding Sixpence *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber or Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Six Tons, the Company may demand such Sum as they think fit.

Passengers Luggage.

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

Restriction as to Charges not to affect Special Trains.

L. Provided always, That the Restriction as to the Charges to be made does not extend to any Special Train that may be required to be run upon the Railway, but applies only to the Express and Ordinary Trains from Time to Time appointed by the Company for the Conveyance of Passengers and Goods upon the Railway.

Company may take increased Charges by Agreement.

LI. Nothing herein contained shall prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance of such Goods, except small Parcels, by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

Power to enter into Traffic Arrangements with Belfast and County Down Railway Company.

LII. The Company and the *Belfast and County Down* Railway Company, herein-after called the *County Down* Company, may from Time to Time enter into Contracts or Arrangements with respect to the following Purposes or any of them; (that is to say,)

The working of the Railway by the *County Down* Company:

The Conveyance by the *County Down* Company of the whole or any Part of the Traffic upon the Railway or any Part thereof:

The Division and Apportionment of such Traffic between the Companies Parties to the Contract:

The Supply of any Rolling or Working Stock required for such Purposes:

The

The Management, Maintenance, and Repair of the Railway or any Part thereof:

The Costs and Expenses of such Working, Management, Maintenance, and Repairs:

The Collection, Delivery, and general Conduct of such Traffic:

The fixing, Collection, taking, and levying of the Tolls, Rates, and Charges arising on the Railway or any Part thereof:

The Appointment of Officers and Servants:

The Division between the Companies Parties to the Contract of the Receipts arising from the Traffic upon the Railway or any Part thereof, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of those Companies to the other of them, by virtue of such Contract.

As to short Distances.

LIII. During any such Working Arrangement, in estimating the Tolls and Charges to be paid for short Distances in respect of Articles or Persons conveyed over the *Holywood* Branch of the *Belfast and County Down* Railway, and also over the Railway authorized by this Act, the Distances traversed shall be reckoned continuously on such Railways as if those Railways were One Railway.

Conditions of such Agreements.

LIV. Any Agreements under this Act (save such Agreements as could be entered into under the Provisions of "The Railways Clauses Consolidation Act, 1845," incorporated with this Act,) made between the Company on the one hand, and the *Belfast and County Down* Railway Company on the other hand, shall be subject to the Approval of the Board of Trade; and no Agreement authorized or confirmed by this Act shall in any Manner increase or diminish, alter or affect, any of the Tolls, Rates, or Charges which the Companies Parties thereto are from Time to Time respectively authorized and entitled to demand or take from any Person, but all other Persons shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the Agreement relates, on the same Terms and Conditions and on Payment of the same Tolls and Charges as if the Agreement were not entered into.

To be first approved by Shareholders.

LV. No such Agreement (save such as are authorized as aforesaid) shall have any Operation or Effect unless and until it be submitted to and approved by not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of the respective Companies Parties to such Agreement specially convened for the Purpose.

Notice of Meeting for such Approval.

LVI. The Meeting shall be called by Advertisements inserted once in each of Two successive Weeks in a Morning Newspaper published in *Dublin*, and in some Newspaper published in the respective County in which the chief Office of any of the Companies Party to such Agreement is situate, the last of which Advertisements shall be published not less than

than Seven Days before the Day of the Meeting, and also by Circular addressed to every Shareholder entitled to vote at Meetings of the Company, to be served in manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to Notices required to be served by the Company on their Shareholders.

Agreements between Companies may be modified by the Board of Trade.

LVII. It shall be lawful for the Board of Trade, if they think fit, at the Expiration of Ten Years from the making of any such Agreement for which the Approval of the Board of Trade is required by this Act, and on the Expiration of every Ten Years from the Period when any Revision thereof shall be made by them, to cause the same to be revised, and the Board of Trade shall have Power to declare that any Modification required by that Board shall be made accordingly, unless the same be objected to by both Companies, and in such Case the Board of Trade may declare that at the End of not less than Twelve Months after Notice being given to the Companies of such Modification being required the said Agreement shall determine.

As to working of Railway by County Down Company, in case they desire to do so.

LVIII. If an Agreement under the Powers of this Act for working the Railway shall not have been previously entered into between the Company and the *County Down* Company, the Company shall, Six Months at least previous to the opening of the Railway for public Traffic, give Notice in Writing of the intended opening, under the Hand of their Secretary, to the *County Down* Company; and if at any Time within Two Months after such Notice the *County Down* Company shall, by Resolution of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of that Company convened as by this Act provided, agree to work the Railway upon such Terms and in such Manner and subject to such Conditions in all respects as shall be settled by Arbitration, then the Terms, Manner, and Conditions upon which the Railway shall be worked by the *County Down* Company shall be forthwith settled by Arbitration in manner provided by "The Railways Clauses Consolidation Act, 1845," and the Railway shall be worked exclusively by the *County Down* Company upon the Terms, in the Manner, and upon the Conditions so settled, and the Consent of the Company shall not be required to the working of the Railway by the *County Down* Company, and such working shall continue until the Company and the *County Down* Company mutually agree to the Termination thereof: Provided always, that the Terms, Manner, and Conditions of such working by the *County Down* Company shall be subject to Revision by Arbitration, at the Option of either Company, at and after the Expiration of Five Years from the opening of the Railway, and at and after the Expiration of every Ten Years succeeding the First Revision or any subsequent Revision; and all the Powers by this Act given to the Board of Trade with respect to the Revision of any Agreement shall extend and apply to the working of the Railway by the *County Down* Company otherwise

otherwise than by Agreement: Provided also, that until the Construction of the Railway, and after the Construction so long as the *County Down* Company shall work the Railway, the Company shall not promote or subscribe to any Extension of their Railway beyond *Bangor* towards *Donaghadee*.

Public Notice at Expiration of decennial Period.

LIX. The Company, previous to the Expiration of each such decennial Period, shall give such public Notice as the Board of Trade may prescribe, that the Board has such Power, and is about to enter on such Revision, and will entertain Complaints with a view to the Removal of any Evil resulting to the Public from any such Arrangement.

Tolls may be taken by the County Down Company, subject to Working Agreement.

LX. So long as the *County Down* Company, under the Provisions of this Act, work the Traffic on the Railway, then and in such Case Tolls and Charges not exceeding such as are authorized by this Act may be demanded and taken by the *County Down* Company for the Use of the Railway, in accordance with the Terms and Stipulations of any such Agreement or Award; and such Tolls and Charges, or a proportionate Part thereof, shall be paid over to the Company, or be retained by the *County Down* Company for their own Use and Benefit, subject to such Deductions, Payments, or Liabilities as may be provided in any such Agreement or Award.

Interest not to be paid on Calls paid up.

LXI. It shall not be lawful for the Company out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

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

Railway not exempt from Provisions of present and future

LXIII. Nothing herein contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway

General Acts.

Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act, or of the Rates for small Parcels.

Saving Rights of the Crown.

LXIV. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the said Company to take, use, or in any Manner interfere with any Foreshore or other Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose, (which Consent such Commissioners are hereby respectively authorized to give,) neither shall anything in this Act or in the said Acts herein referred to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Expenses of Act.

LXV. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid by the Company.

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