CHAPTER ccxiv.

An Act for incorporating the Belfast Strandtown and High Holywood Railway Company and for other purposes. A.D. 1881.

[22nd August 1881.]

WHEREAS the construction of the railway in the county of Down herein-after described from the Belfast Central Railway to Strandtown and High Holywood would be of public and local advantage:

And whereas the persons herein-after in that behalf named with others are willing to execute the undertaking and it is expedient that they be incorporated into a Company for that purpose:

And whereas it is expedient that the railway by this Act authorised should be constructed and maintained on the gauge of three feet:

And whereas it is expedient that provision be made for the laying down on the parts in that behalf in this Act specified of the railways of the Belfast Central Railway Company (in this Act called "the Central Company") of additional rails so as to permit of the passing over and along the same of engines and carriages of the gauge on which the railway by this Act authorised is to be constructed:

And whereas it is expedient that the Company to be incorporated as aforesaid (in this Act called "the Company") and such other companies and persons as are in that behalf in this Act mentioned be authorised to run over work and use the railways and stations herein-after in that behalf mentioned of the Central Company:

And whereas it is expedient that the Company and the Central Company be empowered to enter into and carry into effect working and other agreements as herein-after provided:

And whereas plans and sections showing the line and levels of the railway authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may

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be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Down and are herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:

Short title.

1. This Act may be cited as the Belfast Strandtown and High Holywood Railway Act 1881.

Incorporation of Acts.
8 & 9 Vict. c. 16.
26 & 27 Vict. c. 118.
8 & 9 Vict. c. 18.
14 & 15 Vict. c. 70.
23 & 24 Vict. c. 97.
23 & 24 Vict. c. 106.
27 & 28 Vict. c. 71.
31 & 32 Vict. c. 70.
8 & 9 Vict. c. 20.
26 & 27 Vict. c. 92.

2. The Companies Clauses Consolidation Act 1845 Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 the Lands Clauses Consolidation Act 1845 (so far as the same is consistent with the Railways Act (Ireland) 1851 as amended by the Railways Act (Ireland) 1860) the Lands Clauses Consolidation Acts Amendment Act 1860 the Railways Act (Ireland) 1851 the Railways Act (Ireland) 1860 the Railways Act (Ireland) 1864 the Railways Traverse Act the Railways Clauses Consolidation Act 1845 and Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of the Railways Clauses Act 1863 are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Deposit of plans with clerks of unions.

4. With reference to this Act all the provisions of sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall be read and construed as if the expression "clerks of the unions within which such parishes are included in Ireland" or the words "clerks of the unions" (as the case may be) had been used and inserted in such sections in lieu of the expression "the postmasters of the post-towns in or nearest to such parishes in Ireland" or in lieu of the word "postmasters" (as the case may be).

Company incorporated.

5. Alexander Young Sir Leopold George Heath K.C.B. Sir Thomas Dakin John Anderson John Harrison and John McCance and all other persons and corporations who have already subscribed

to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a Company for the purpose of making and maintaining the railway by this Act authorised and for other the purposes of this Act and for those purposes shall be and are hereby incorporated by the name of "The Belfast Strandtown and High Holywood Railway Company" and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes of this Act.

Power to make railway.

6. Subject to the provisions of this Act the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the railway herein-after described with all proper stations sidings approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose. The railway herein-before referred to and authorised by this Act will be wholly situate in the county of Down and is:—

A railway 5 miles and 3·80 chains or thereabouts in length commencing by a junction with the Belfast Central Railway at a point about fifteen yards westward from the mile post on that railway indicating the distance of two and a quarter miles from its commencement at the Ulster Junction and terminating in the parish of Holywood in a field which is bounded on the north-west side by the road leading from the Old Holywood Road to the south-eastern end of Downshire Road and at a point one hundred and eighty yards or thereabouts measured in a south-easterly direction from the junction with Downshire Road of the most southern of the cross-roads leading from that road to Church Road.

Protection of the Belfast and County Down Railway.

7. And whereas part of the railway and lands of the Belfast and County Down Railway Company (herein called the "County Down Company") are within the limits of deviation shown on the deposited plans and may be taken under the powers of this Act and it is expedient that provision should be made for the protection thereof and of the County Down Company. Be it therefore enacted as follows:—

1. The bridge to be constructed by the Company for carrying the railway of the County Down Company over the railway by this Act authorised in the parish of Knockbreda shall be so constructed as not to alter the level or direction of the said railway of the County Down Company and shall be of

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sufficient width to carry a double line of railway and such bridge and all the works connected therewith shall be constructed and executed respectively by such means and in such manner only as not to interfere with the traffic over or the free uninterrupted and safe use of the said railway and so as to leave undisturbed the existing line of rails thereon as far as practicable. Provided that the Company shall not without the consent of the County Down Company disturb the existing line of rails thereon for any longer time than two periods of twelve hours each in the whole and no such disturbance shall take place while trains are running and the whole of such works shall be executed according to plans and sections previously submitted to and reasonably approved by the engineer of the County Down Company and under his superintendence and to his reasonable satisfaction in all respects but in all things at the expense of the Company. Provided that if the County Down Company do not within fourteen days after the said plans and sections shall have been so submitted to them object to the same by notice in writing served upon the Company the said plans and sections shall be deemed to have been approved for the purposes of this Act. And if the County Down Company make any such objection then unless the said plans and sections be agreed on between the two Companies or their respective engineers within fourteen days after the service of such objections any matter in difference shall be settled by an arbitrator appointed by the common consent of both Companies or in default of such consent to be appointed by the Board of Trade upon the application of either Company and the provisions of the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration shall so far as applicable apply to every such arbitration.

2. (A.) If at any time after the passing of this Act the County Down Company shall require to lay a third line of rails upon their railway crossing the said bridge the County Down Company shall be at liberty to construct and lay down the same and to alter the said bridge at their own expense for that purpose and without making any payment to the Company in respect thereof:

(B.) Such alteration shall be of a like span and headway as the said bridge and shall be constructed under the superintendence and to the reasonable satisfaction of the engineer

for the time being of the Company in accordance with plans sections and specifications to be previously submitted to and approved by him:

(c.) The County Down Company shall at all times maintain the said alteration in substantial repair and good order to the reasonable satisfaction of the engineer of the Company:

(d.) The County Down Company shall construct and maintain such alteration so as not either during the construction or after the completion thereof to interfere in any way with the railway of the Company or obstruct the passage of traffic along the same:

3. The Company shall not in constructing their railway under the railway of the County Down Company vary the centre line thereof to any greater extent than 50 yards on either side of the position thereof as shown on the deposited plans.

4. The Company shall at all times maintain the bridge at the point of crossing the County Down Railway in substantial repair and good order to the reasonable satisfaction in all respects of the engineer of the County Down Company and if and whenever the Company fail so to do the County Down Company may make or do in and upon as well the lands of the Company as their own lands all such works and things as may be reasonably requisite in that behalf and the reasonable amount of their expenditure therein shall be repaid to them by the Company and in default of payment may be recovered from the Company with full costs in any court of competent jurisdiction.

5. The Company may for the purpose of making the bridge for carrying the County Down Railway over the railway of the Company purchase and take from the County Down Company and the County Down Company on being required shall sell to them an easement or right of using so much of the land and property of the County Down Company lying within the limits of deviation as (subject to the provisions aforesaid) may be necessary for the purpose of constructing the railway under the County Down Railway and making and maintaining the said bridge and the works connected therewith in accordance with the provisions of this Act but shall not for such purpose otherwise take use or interfere with the lands rails works property or rights of the County Down Company.

6. The Company shall bear and on demand pay to the County Down Company all reasonable expenses of the employment by

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them during the construction of the said bridge of a sufficient number of inspectors and watchmen to be appointed by the County Down Company for watching their works and property with reference to and during the construction of the said bridge and for preventing as far as may be all interference danger and accident from any of the operations or from the acts or defaults of the Company or of their contractors or any persons in the employment of the Company or of their contractors with reference thereto and also of the alteration and maintenance from time to time by the County Down Company of any signals which it may be necessary for them to make during the construction of such works.

7. If by reason of the execution of any of the works or any proceedings of the Company or the failure of any such works or any act or omission of the Company or of their contractors or of any persons in the employ of the Company or of their contractors or otherwise the County Down Railway or any of the works connected therewith or any passenger or other traffic on that railway shall sustain any injury or damage such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their failing so to do the County Down Company may make good the same and recover the expense thereof with full costs from the Company in any court of competent jurisdiction and if any interruption shall be occasioned to such traffic by reason of any of the matters or causes aforesaid the Company shall on demand pay to the County Down Company all costs and expenses to which they may be put as well as full compensation for the loss and inconvenience sustained by them by reason of any such interruption such costs expenses and compensation to be recoverable from the Company as last aforesaid and with full costs.

8. The Company may purchase and take from the County Down Company for the purpose of the construction of their railway and the County Down Company shall on being required sell to them so much of the lands and property of the County Down Company lying within the Company's limits of deviation and to the westward of the lands required for the construction of the said bridge as may be necessary for the construction of their railway provided that they shall not be at liberty except with the consent of the County Down Company to take or purchase any lands or to construct any

works (save for the construction and maintenance of the said bridge and of the railway where it crosses under the County Down Railway) upon any property of the County Down Company within 25 feet of the centre line of the existing embankment of the County Down Company.

9. Any differences which may from time to time arise between the Company and the County Down Company with reference to anything in this section contained shall be settled by an arbitrator in manner provided in sub-section (1) of this section.

Protection of Belfast Water Commissioners. 3 & 4 Vict. c. lxxix. 28 & 29 Vict. c. clxxxix. 37 & 38 Vict. c. cli. 42 & 43 Vict. c. clxxii.

8. Whereas certain mains pipes services and other works belonging to and now in use by the Commissioners acting in execution of the Belfast Water Act 1840 the Belfast Water Act 1865 the Belfast Water Act 1874 and the Belfast Water Act 1879 (herein-after called the "Water Commissioners") for the purposes of their water supply are laid in under or across certain of the roads streets or lands along across or over which the railway and works or some part thereof respectively by this Act authorised (herein-after called "the railway and works") are proposed to be made and maintained. And whereas it is expedient that provision should be made for preventing any interruption of the supply of water by the Water Commissioners within their existing or future limits of supply and for making good all damage to and interference with the mains pipes services and other works belonging to the Water Commissioners which may in any case be caused by the carrying out of the railway and works connected therewith and with respect to the laying additional mains pipes services and other works under over and across the roads streets or lands over along or across which the railway and works are proposed to be made and maintained. Therefore the following provisions shall have effect:

(A.) All works matters or things which the Company may be empowered to do in connexion with the railway and works and which may in any way interfere with or render necessary the alteration of any of the mains pipes services and other works of the Water Commissioners shall be done and executed by and at the expense of the Company but to the reasonable satisfaction of the engineer for the time being of the Water Commissioners: such works matters or things shall not be commenced until after fourteen days notice thereof in writing shall have been given by the Company to the Water Commissioners such notice to be accompanied by a plan and section showing the nature and extent of the works matters and things

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which the Company propose to carry out and if the Water Commissioners by notice in writing to the Company within seven days after the receipt by them of the notice of the intended commencement by the Company of any such work matter or thing require that the Water Commissioners shall by their own engineer or workmen do or execute such work matter or thing the Water Commissioners may on the expiration of the first-mentioned notice do or execute the same and the Company shall on the completion thereof pay to the Water Commissioners the reasonable expenses incurred by them in the execution thereof.

(B.) The Company shall bear the reasonable expenses of and incident to the superintendence and watching by the Water Commissioners or their engineer or officers of the railway and works during the progress and until the completion of the same by which any main pipe service or work of the Water Commissioners shall be interfered with.

(C.) If any interruption whatsoever in the supply of water by the Water Commissioners shall be in any way occasioned by the Company or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Company shall forfeit and pay on demand to the Water Commissioners for the use and benefit of the Water Commissioners the sum of twenty pounds for every day during which such interruption shall continue.

(D.) The expense of all repairs or renewals of any main pipe or service of the Water Commissioners or any works in connexion therewith which may at any time hereafter be rendered necessary by the acts or default of the Company their contractors agents workmen or servants or any person in the employ of them or any or either of them shall be borne and paid by the Company and may be recovered against them by the Water Commissioners.

(E.) If and when the Company under the powers of this Act acquire and appropriate any lands streets houses and buildings which are served with water by the mains pipes services and other works of the Water Commissioners laid down and maintained by them in such roads streets lands or places or where the Company shall stop up divert raise or lower the level of any such road street highway or place so that the mains pipes services and other works of the Water Commissioners or any part of them may require relaying at a higher or lower

level or in a different position then the Company shall at their own expense take up alter and relay all such mains pipes services and other works of the Water Commissioners in a proper and efficient manner and as may be directed by the Water Commissioners: In case such mains pipes services and other works may not be further required for purposes of water supply then the Company shall deliver the same to the Water Commissioners in as good a condition as such mains pipes services and works were in before they were taken up or interfered with:

(F.) The Water Commissioners shall be indemnified and saved harmless by the Company of from and against any loss damage or injury which may happen to the railway and works connected therewith respectively or to the rolling stock used or to the passengers conveyed upon the railway by reason of any of the works executed under this Act or consequent on the execution thereof or by reason of any accident which may at any time happen to the mains pipes services or other works of the Water Commissioners at under or near the railway and works or for any loss or damage to the Company arising from the stoppage or loss of traffic on the railway and works during the repair of the said mains pipes services or other works which may be necessary in consequence of such accident unless such loss damage or injury shall have been occasioned by the default or neglect of the Water Commissioners or of their agents officers workmen or servants.

(G.) The Water Commissioners shall be entitled from time to time as the necessity therefor shall arise to carry a main upon across and over any bridge and the approaches thereto constructed by the Company over the railway and works and the depth of soil or covering above the masonry forming the arch or above the girder of every such bridge as the case may be shall at the point at which any such main shall be laid across any such bridge be not less than two feet in depth so as to admit of the Water Commissioners laying their mains and pipes across the bridge and failing such depth of soil or covering at the points at which the mains and pipes are laid across the bridge the Water Commissioners may make such provisions for carrying their mains and pipes across the bridge as their engineer may consider necessary and all the costs and expenses of the same shall be borne by the Company and may be recovered from them by the Water Commissioners:

(H.) Nothing in this Act shall prevent the Water Commissioners

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from laying at their own expense from time to time as they may think fit additional mains or pipes with all scour pipes and air and other valves for supplying water or from repairing or from time to time inspecting any mains pipes services or other works at under over across or near the railway and works and the Water Commissioners shall not be liable for any damage to the railway and works or for any stoppage of the railway and works or loss of traffic thereon that may be caused by the laying repairing or inspecting of any mains pipes services or other works at under over across or near the railway and works Provided that the operations of the Water Commissioners shall be carried on so as to interfere as little as possible with the traffic on the railway and works and according to the directions and under the superintendence of the engineer for the time being of the Company.

(I.) If the Company during the progress of the railway and works by themselves their contractors officers or servants do any act which may cause interruption to the supply of water by the Water Commissioners or which may in the opinion of the latter lead to or render probable such interruption or which may lead to or render probable any damage to or interference with the mains pipes services and other works of the Water Commissioners and if the Company fail or neglect to give notice to the Water Commissioners as herein-before provided by sub-section (A) then and in such event the Water Commissioners shall call the Company's attention to such default by a written notice and if the Company fail or neglect to attend to such notice and to take the necessary steps for the protection of the Water Commissioners mains pipes services and other works then the Water Commissioners may after seven days from delivery of such notice proceed to carry out and execute such works as may in their opinion be requisite and to alter relay and renew such of their mains pipes services and other works and take such precautionary measures as may be rendered necessary by the acts or defaults of the Company and all the costs and expenses of the same shall be borne by the Company and may be recovered from them by the Water Commissioners :

(J.) If any difference shall arise between the Company or their engineer and the Water Commissioners or their engineer with respect to the amount of any costs expenses or charges under the provisions of this Act or any Act incorporated herewith to be paid by the Company to the Water Commissioners or with respect to any work matter or thing with reference to the

mains pipes services or other works of the Water Commissioners under such provisions to be done or executed by the Company or the Water Commissioners or the mode of doing or executing the same such difference shall be settled by arbitration in accordance with the provisions of the Companies Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration:

(K.) Except as in this Act specially provided nothing in this Act shall prejudice diminish alter or take away any of the rights powers privileges or authorities of the Water Commissioners.

Protection of the Corporation of Belfast.

9. Notwithstanding anything contained in this Act or in the deposited plans and sections the following provisions shall have effect with reference to the works within the borough of Belfast by this Act authorised:—

(1.) In this section "the borough" means the borough of Belfast:

"The corporation" means the mayor aldermen and burgesses of the borough:

"The surveyor" means the surveyor for the time being of the borough:

(2.) The Company shall not enter upon or take any portion of the new street or site thereof running near to the Belfast and County Down Railway in the parish of Knockbreda and townland of Ballymacarrett shown on the copy of the deposited plan signed by the Right Honourable David Graham Drummond Ogilvy Earl of Airlie the chairman of the Committee of the House of Lords to whom the Bill for this Act was referred and deposited in the Parliament Office until they shall have constructed in substitution thereof a new street in such situation and of such dimensions character and material as shall have been approved by the corporation:

(3.) The railway shall be carried over Dee Street by an arch which shall have a clear span throughout of not less than thirty feet and a clear headway throughout of not less than eleven feet six inches:

(4.) Where any of the works authorised by this Act shall or may pass over or under or by the side of or so as to interfere with any sewer or drain or gas main or pipe belonging to or under the control of the corporation or with any sewers or works to be made or executed by the corporation or shall or may in any way affect the sewerage or drainage of the said borough the Company shall provide by new altered or substituted works in

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such manner as the corporation shall require for the proper protection of and for preventing injury or impediment to the sewers drains mains pipes and other works herein-before referred to by reason of the said intended work or any part thereof and shall save harmless the corporation against all and every the expense to be occasioned thereby:

(5.) The Company shall not except with the consent of the surveyor stop up alter or interfere with any road street or thoroughfare within the borough except that portion of Church Street East which is shown on the deposited sections to be stopped up:

(6.) All works within the borough executed under the powers of this Act shall be executed under the superintendence and to the reasonable satisfaction of the surveyor and according to plans sections and specifications submitted to and approved by him before the commencement thereof subject to arbitration in case of difference as herein-after provided and the Company shall not except with the like approval deviate from the line or level of any of the works authorised by this Act as shown on the deposited plans and sections:

(7.) Any difference which may from time to time arise between the Company and the surveyor in reference to any such plans sections specifications and works as aforesaid shall be determined by arbitration in accordance with the provisions of the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration.

Gauge of railway.

10. The Company may and shall make and maintain the railway by this Act authorised of the gauge of three feet.

Capital.

11. The capital of the Company shall be seventy-two thousand pounds in seven thousand two hundred shares of ten pounds each.

Shares not to be issued until one fifth paid.

12. The Company shall not issue any share created under the authority of this Act nor shall any such share vest in the person or corporation accepting the same unless and until a sum not being less than one fifth the amount of such share is paid in respect thereof.

Calls.

13. One fifth of the amount of a share shall be the greatest amount of a call and three months at least shall be the interval between successive calls and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt in case of persons not sui juris.

14. If any money is payable to a shareholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to divide shares.

15. Subject to the provisions of this Act the Company with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose may from time to time divide any share in their capital into half shares of which one shall be called "preferred half share" and the other shall be called "deferred half share" but the Company shall not so divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon) and the residue to the credit of the preferred half share.

Dividends on half-shares.

16. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following (that is to say) first in payment of dividend after such rate not exceeding six per centum per annum as shall be determined once for all at a general meeting of the Company specially convened for the purpose on the amount for the time being paid up on the preferred half share and the remainder (if any) in payment of dividend on the deferred half share and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

Dividends on preferred shares to be paid out of profits of the year only.

17. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid in priority to the deferred half share bearing the same number but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year no part of the deficiency shall be made good out of the profits of any subsequent year or out of any other funds of the Company.

Half shares to be registered and certificates issued.

18. Forthwith after the creation of any half shares the same shall be registered by the directors and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued and the directors shall issue certificates of the half shares accordingly and shall cause an entry to be made in the register of the entire shares of the conversion thereof but the directors shall not be bound to issue a certificate of any

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half share until the certificate of the existing entire share be delivered to them to be cancelled unless it be shown to their satisfaction that such certificate is destroyed or lost and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated on certificates.

19. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Forfeiture of preferred shares.

20. The provisions of the Companies Clauses Consolidation Act 1845 with respect to the forfeiture of shares for nonpayment of calls shall apply to all preferred half shares to be created under the authority of this Act and every such preferred half share shall for that purpose be considered an entire share distinct from the corresponding deferred half share and until any forfeited preferred half share shall be sold by the directors all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof and of the arrears of calls for the time being due thereon with interest.

Preferred shares not to be cancelled or surrendered.

21. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Half shares to be half shares in capital.

22. The several half shares under this Act shall be half shares in the capital of the Company and every two half shares (whether preferred or deferred or one of each) held by the same person shall confer such right of voting at meetings of the Company and (subject to the provisions herein-before contained) shall confer and have all such other rights qualifications privileges liabilities and incidents as attach and are incident to an entire share.

Power to borrow.

23. The Company may from time to time borrow on mortgage any sum not exceeding in the whole twenty-four thousand pounds but no part of that sum shall be borrowed until the whole capital of seventy-two thousand pounds by this Act authorised is issued and accepted and one half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of such capital has been issued and accepted and that one half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators

successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

Appointment of a receiver.

24. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than two thousand pounds in the whole.

Debenture stock.

25. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

26. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied for the purposes of this Act only.

First ordinary meeting.

27. The first ordinary meeting of the Company shall be held within six months after the passing of this Act at the Terminus Hotel Cannon Street in the city of London at twelve o'clock at noon.

Number of directors.

28. The number of directors shall be six but the Company may from time to time reduce the number provided that the number be not less than three.

Qualification of directors.

29. The qualification of a director shall be the possession in his own right of not less than twenty shares.

Quorum.

30. The quorum of a meeting of directors shall be three but if the number be reduced to three the quorum shall be two.

First directors.

31. Alexander Young Sir Leopold George Heath K.C.B. Sir Thomas Dakin John Anderson John Harrison and John McCance shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or direc-

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tors to supply the place of those not continued in office the directors appointed by this Act being (if qualified) eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the provision herein-before contained for reducing the number of directors) elect directors to supply the place of those then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall (subject as aforesaid) continue to be directors until others are elected in their stead in manner provided by the same Act.

Lands for extraordinary purposes.

32. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed two acres.

Period for compulsory purchase of lands.

33. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Special powers to persons having limited estates, &c. in lands benefited by the railway.

34. Any tenant for life of or other person having a limited estate or interest in any lands which would or might be benefited or improved in value by or would derive facilities or accommodation from the construction or working of the railway or any part thereof or of any stations sidings roads approaches works or conveniences connected therewith may with the sanction of the Commissioners of Public Works in Ireland subscribe for and hold shares in the undertaking of the Company and raise the moneys necessary for that purpose by mortgage of and charge the same upon such lands and the fee simple and inheritance thereof and may with the like sanction grant and convey to the Company any lands required for the construction of the railway or any part thereof or any stations sidings roads approaches works or conveniences connected therewith either without payment or other consideration or for such consideration pecuniary or otherwise and upon such terms and conditions as have been or may be agreed upon between any such person and the Company and the provisions of the Improvement of Land Act 1864 with regard to the proceedings preliminary to the sanction of any improvement and with regard to the sanction of any improvement and the rights arising thereunder shall so far as the same are applicable apply to and in the case of any application to be made to the said Commissioners for their sanction to any matter or thing proposed to be done under this section and for the purposes of those

27 & 28 Vict. c. 114.

provisions any matter or thing for the sanctioning of which application shall be made shall be deemed to be an improvement of land within the meaning of the last-mentioned Act.

Inclination of road.

35. In altering for the purposes of this Act the public carriage road numbered on the deposited plans 17 in the parish of Holywood and townland of Knocknagoney the Company may make the same of any inclination not steeper than one foot in twenty-five feet.

Height and span of bridges.

36. The Company may make the arches of the bridges for carrying the railway over the roads next herein-after mentioned of any heights and spans not less than the heights and spans herein-after mentioned in connexion therewith respectively (that is to say):

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
			Ft. in.	Ft.
16	Knockbreda townland of Ballymacarret.	Public carriage road.	11 6	22
5	Holywood townland of Strandtown.	Public carriage road.	14 0	20
3	Holywood townland of Ballyhackamore.			
Two crossings— 17	Holywood townland of Knocknagoney.	Public carriage road.	15 0	25
	Holywood townland of Knocknagoney.	Public carriage road.	15 0	25

Widths of certain roadways.

37. The Company may make the roadway over the bridges by which the following roads will be carried over the railway of such width between the fences thereof as the Company think fit not being less than the respective widths herein-after mentioned in connexion therewith respectively (that is to say):

No. on Plan.	Parish.	Description of Road.	Width of Roadway.
			Ft.
Two crossings— 15	Holywood townland of Ballyhackamore.	Public carriage road	20
	Holywood townland of Ballyhackamore.	Public carriage road	20
20	Holywood townland of Strandtown.	Public carriage road	25

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No. on Plan.	Parish.	Description of Road.	Width of Roadway.
			Ft.
25	Holywood townland of Strandtown.	Public carriage road	25
36	Holywood townland of Strandtown.	Public carriage road	25
37	Holywood townland of Strandtown.	Public carriage road	25
8, 9 & 12	Holywood townland of Ballymaghan.	Public carriage road	25
20	Holywood townland of Ballymaghan.	Public carriage road	20
31	Holywood townland of Ballymaghan.	Public carriage road	25
7	Holywood townland of Knocknagoney.	Public carriage road	20

Notice to be given of taking houses of labouring classes.

38. The Company shall not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention.

Power for Company to appropriate lands for the erection of dwelling-houses for the labouring classes.

39. The Company may from time to time if and when they think fit appropriate any lands acquired by them under the powers of this Act and which may not be required for the railway and works for the purpose of the erection of dwelling-houses or buildings for persons belonging to the labouring class whose dwellings may be required for the works by this Act authorised and before displacing any person or persons belonging to the labouring class who may for the time being be the occupier or occupiers of any house or part of any house which the Company are by this Act authorised to acquire the Company shall procure sufficient accommodation elsewhere for such person or persons unless the Company and such person or persons otherwise agree Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice.

Deposit money not to be repaid

40. Whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her

present Majesty chapter twenty a sum of three thousand five hundred and forty-five pounds four shillings being equal to five per cent. upon the amount of the estimate in respect of the railway has been deposited with the Chancery Division of the High Court of Justice in Ireland in respect to the application to Parliament for this Act which sum is referred to in this Act as the deposit fund Be it enacted that notwithstanding anything contained in the said Act the said deposit fund shall not 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 which persons survivors or survivor are or is in this Act referred to as the depositors unless the Company shall previously to the expiration of the period limited by this Act for completion of the railway open the same for the public conveyance of passengers. Provided that if within such period as aforesaid the Company open any portion of the railway for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railway so opened bears to the entire length of the railway the Chancery Division shall on the application of the depositors or the majority of them order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

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except so far as railway is opened.

41. If the Company do not previously to the expiration of the period limited for the completion of the railway complete the same and open it for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the Dublin Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed

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in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in Ireland may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the Chancery Division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof provided that until the deposit fund has been repaid to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

Period for completion of works.

42. If the railway is not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the railway or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Tolls for passengers and animals.

43. The Company may demand and take in respect of the use of the railway any tolls not exceeding the following (that is to say) :—

In respect of passengers and animals conveyed on the railway :

Class 1. For every person conveyed in or upon any carriage not belonging to the Company per mile twopence.

Class 2. For every horse mule ass or other beast of draught or burden conveyed in or upon any such carriage per mile fourpence.

Class 3. For every ox cow bull or head of neat cattle conveyed in or upon any such carriage per mile twopence.

Class 4. For every calf or pig conveyed in or upon any such carriage per mile one penny and for every sheep lamb or other

small animal conveyed in or upon any such carriage per mile three farthings. A.D. 1881

In respect of goods conveyed on the railway:

Class 5. For all coals coke culm charcoal and cinders per ton per mile one penny.

Class 6. For all dung compost and all sorts of manure lime and limestone and all undressed materials for the repair of public roads or highways stones for building pitching and paving all bricks tiles slates clay sand ironstone and iron ore pig iron bar iron rod iron hoop iron and all other similar descriptions of wrought iron and iron castings not manufactured into utensils or other articles of merchandise per ton per mile one penny halfpenny.

Class 7. For all sugar grain corn flour hides dye woods earthenware timber staves and deals metals (except iron) nails anvils vices and chains per ton per mile twopence halfpenny.

Class 8. For all cotton and other wools drugs manufactured goods and all other wares merchandise fish articles matters or things per ton per mile threepence.

In respect of carriages conveyed on the railway:

Class 9. For every carriage of whatever description not being a carriage adapted and used for travelling on a railway and not weighing more than one ton carried or conveyed on a truck or platform per mile not exceeding sixpence and a sum of one penny halfpenny per mile for every additional quarter of a ton or fractional part of a quarter of a ton which any such carriage may weigh.

Tolls for carriages, &c.

44. For carriages supplied by the Company the Company may (in addition to the other tolls by this Act authorised) demand or take for or in respect of goods articles matters or things persons or animals comprised in either of the classes herein-before specified any tolls not exceeding the tolls next herein-after mentioned in connexion with the class in which such goods articles matters or things persons or animals are respectively comprised (to wit):

For Class 1 for each person per mile one penny.

For Class 2 for each animal per mile one penny.

For Class 3 for each animal per mile one penny.

For Class 4 for each animal per mile one farthing.

For Class 5 per ton per mile one halfpenny.

For Class 6 per ton per mile one halfpenny.

For Class 7 per ton per mile one halfpenny.

For Class 8 per ton per mile one halfpenny.

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Tolls for propelling power.

45. The tolls which the Company may demand for the use of engines for propelling carriages on the railway shall not exceed one penny per mile for each passenger or animal or for each ton of goods in addition to the several other tolls or sums by this Act authorised to be taken.

Regulations as to tolls.

46. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act (that is to say):

Short distances.

For all passengers animals or goods conveyed on the railway for a less distance than four miles the Company may demand tolls and charges as for four miles.

Fractional parts of a mile.

For a fraction of a mile beyond four miles or beyond any greater number of miles the Company may demand tolls and charges on animals and goods 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 beyond an integral number of miles shall be deemed a mile.

Fractional parts of a ton.

For a fraction of a ton the Company may demand tolls 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.

General weight.

With respect to all articles except stone and timber the weight shall be determined according to the usual avoirdupois weight.

Weight of stone and timber.

With respect to stone and timber fourteen cubic feet of stone forty cubic feet of oak mahogany teak beech or ash and fifty cubic feet of any other timber shall be deemed one ton weight and so in proportion for any smaller quantity.

Tolls for small parcels and articles of great weight.

47. With respect to small parcels not exceeding five hundred pounds in weight and single articles of great weight notwithstanding anything in this Act the Company may demand and take any tolls not exceeding the following (that is to say):

For the carriage of small parcels on the railway:—

For any parcel not exceeding seven pounds in weight threepence.

For any parcel exceeding seven pounds but not exceeding fourteen pounds in weight fivepence.

For any parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight sevenpence.

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight ninepence.

For any parcel exceeding fifty-six pounds and not exceeding five hundred pounds in weight the Company may demand any sum which they think fit.

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed small parcels but that term shall apply only to single parcels in separate packages.

For the carriage of any single article the weight of which including the carriage exceeds four tons but does not exceed eight tons the Company may demand and take any sum not exceeding one shilling a ton a mile.

For the carriage of any single article the weight of which with the carriage exceeds eight tons the Company may demand and take any sum they think fit.

Maximum rates for passengers.

48. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway including the tolls for the use of the railway and for carriages and locomotive power and every other expense incidental to such conveyance shall not exceed the following (that is to say):

For every passenger conveyed in a first-class carriage the sum of threepence per mile.

For every passenger conveyed in a second-class carriage the sum of twopence per mile.

For every passenger conveyed in a third-class carriage the sum of one penny per mile.

Maximum rates for animals and goods.

49. The maximum rate of charge to be made by the Company for the conveyance of animals and goods (except such small parcels and single articles of great weight as aforesaid) on the railway including the tolls for the use of the railway and for waggons or trucks and locomotive power and for every other expense incidental to the conveyance except a reasonable charge for loading and unloading of goods at any terminal station in respect of such goods and for delivery and collection and any other service incidental to the business or duty of a carrier (where any such service is performed by the Company) shall not exceed the following sums (that is to say):

Class 2. For each animal fourpence per mile.

Class 3. For each animal threepence per mile.

Class 4. For every calf or pig one penny halfpenny per mile and for every other small animal one penny per mile.

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Class 5. One penny halfpenny per ton per mile.
Class 6. Twopence per ton per mile.
Class 7. Threepence per ton per mile.
Class 8. Fourpence per ton per mile.
Class 9. For every carriage of whatever description not being a carriage adapted and used for travelling on a railway and not weighing more than one ton carried or conveyed on a truck or platform per mile sixpence and for every additional quarter of a ton above one ton one penny halfpenny.

Passengers luggage.

50. Every passenger travelling upon the railway may take with him his ordinary luggage not exceeding one hundred and twenty pounds in weight for first-class passengers one hundred pounds in weight for second-class passengers and sixty pounds in weight for third-class passengers without any charge being made for the carriage thereof.

Terminal station.

51. No station shall be considered a terminal station in regard to any goods conveyed on the railway unless such goods have been received thereat direct from the consignor or are directed to be delivered thereat to the consignee.

Foregoing charges not to apply to special trains.

52. The restrictions as to the charges to be made for passengers articles and things shall not extend to any special train run upon the railway in respect of which the Company may make such charges as they think fit but shall apply only to the ordinary and express trains appointed from time to time by the Company for the conveyance of passengers animals and goods upon the railway.

Company may take increased charges by agreement.

53. Nothing in this Act shall prevent the Company from taking any increased charges over and above the charges by this Act limited for the conveyance of animals or goods of any description by agreement with the owners or persons in charge thereof either by reason of any special service performed by the Company in relation thereto or in respect of the conveyance of animals or goods (other than small parcels) by passenger trains.

Company may by notice to Central Company require the gauge to be mixed on part of Central Railway.

54. At any time after the passing of this Act the Company by writing under their common seal herein-after in this Act referred to as "the Company's notice" may give notice to the Central Company that the Company are desirous that additional rails shall be laid down upon all or any of the railways (to be specified in the notice) of the Central Company (whether now existing or authorised) by means of which access may be obtained by whatever route or routes from the junction with the Belfast Central Railway of the railway by this Act authorised to the junction at Ulster Junction of the

Belfast Central Railway with the Ulster Railway or to any station or stations of the Central Company in the borough of Belfast and within one month after service of the Company's notice upon the Central Company that company shall by writing under their common seal to be delivered to the secretary of the Company elect whether they will themselves lay down such additional rails as aforesaid or whether they will permit the Company to lay down the same.

Provisions in case Central Company elect themselves to mix the gauge.

55. If the Central Company elect as in the preceding section that they will themselves lay down such additional rails the following provisions shall have effect that is to say:

(A.) The Central Company shall with all convenient speed and at the latest within six months after they shall have so elected as aforesaid lay down upon their railways or such parts of their railways as shall have been in that behalf specified in the Company's notice aforesaid additional rails with all necessary points switches cross-over roads signals works and conveniences so as to admit of the free passage of engines and carriages over such railways or parts of railways to and from the railway of the Company and the safe working over such railways or parts of railways of traffic coming from or destined for the railway of the Company.

(B.) Such additional rails shall be so laid as to allow carriages passing over the same and coming from or destined for the railway of the Company to set down and take up passengers goods articles and things at the stations and platforms of the Central Company on their railways or parts of railways aforesaid.

(C.) The additional rails shall (unless the Company by writing under their common seal otherwise agree) be for ever maintained by the Central Company in good working order and condition and shall from time to time be renewed by them as occasion may require.

(D.) For the purpose of laying down maintaining and renewing such additional rails the Central Company may from time to time apply their funds and revenues and any moneys which they are now authorised to raise by shares stock debenture stock or borrowing and which may not be required for the special purpose (if any) for which such moneys are authorised to be raised.

(E.) Such additional rails shall be deemed to be authorised works of the Central Company within the meaning of the

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42 & 43 Vict. c. clxiv.

paragraph commencing with the word "sixthly" of section 7 of the Belfast Central Railway Act 1879.

Provisions in case the works are executed by the Company.

56. If within the said period of one month after service of the Company's notice as aforesaid the Central Company shall not have elected as aforesaid that they will themselves lay down such additional rails as aforesaid or if having so elected they shall not proceed with the laying down of such additional rails with all convenient speed and so as to insure the laying down and completion of such additional rails within six months after they shall have so elected or if they shall have elected as aforesaid that they will permit the Company to lay down such additional rails then in any of such events the following provisions shall have effect :—

(A.) The Company may lay down such additional rails with all such necessary points switches cross-over roads signals works and conveniences as mentioned in paragraph (A.) of the last preceding section and may make all necessary openings in or alterations of and connexions with any existing rails of the Central Company and for those purposes may by their officers servants and workmen enter upon the railway stations works and lands of the Central Company at all reasonable hours in the daytime.

(B.) All works and things executed or done by the Company under this section upon or in connexion with any of the railways works stations lands or rails of the Central Company shall be executed and done under the superintendence and to the reasonable satisfaction of the engineer in chief for the time being of that company.

(C.) The additional rails shall be laid by the Company and be maintained and renewed by the Central Company in like manner as is provided by and in accordance with paragraphs (B.) and (C.) of the last preceding section.

Arbitration in case of difference.

57. If at any time hereafter any difference arise between the Company and the Central Company or their respective engineers as to the true intent and meaning of the three last preceding sections of this Act or as to any work matter or thing executed or done or required or proposed to be executed or done thereunder the question or difference shall be from time to time referred to an engineer to be appointed on the application of either Company by the Board of Trade and the referee shall in addition to his other powers as an arbitrator have power by any award to specify and direct what works matters or things shall be executed or done and the manner and time in which and by which Company the same shall be executed or done. And every award or decision of the referee shall

be binding and conclusive upon and against all parties and the costs of the reference shall be in his discretion. A.D. 1881.

Power to use other railways.

58. The Company and any company or persons for the time being working or using the railway of the Company or any part thereof either by agreement or otherwise may run over work and use with their engines carriages and waggons officers and servants whether in charge of engines and trains or for any other purpose whatsoever and for any traffic of every description the railways or parts of the railways of the Central Company existing or to be authorised as aforesaid whereon additional rails shall have been laid down in accordance with the provisions of this Act together with such additional rails and all stations roads platforms points signals water water engines engine sheds standing room for engines booking and other offices warehouses sidings junctions machinery works and conveniences of or connected with the said railways and stations and as regards traffic conveyed by them the Company may demand and take such tolls and charges upon or in respect of the said railway parts of railways rails and stations as they would be entitled to take if such railways parts of railways rails and stations were part of the railway by this Act authorised.

Terms of such user.

59. The terms conditions and regulations to be observed and fulfilled and the tolls charges rent or other consideration to be paid by the Company or such other company or person as in the last preceding section mentioned for and in respect of the use of such railways parts of railways rails stations works and conveniences shall be such as are from time to time agreed upon between them and the Central Company or failing such agreement as may from time to time be determined by an arbitrator to be appointed by the Board of Trade on the application of either of the Companies or of the persons interested and the cost of the arbitration shall be in his discretion and the decisions of the arbitrator shall be final and binding on all parties.

Power to enter into traffic arrangements.

60. The Company and the Central Company (herein-after called "the two Companies") may from time to time enter into and carry into effect agreements with reference to the laying down of additional rails upon the railways or any or any part or parts of the railways of the Central Company and as to the payment of the cost thereof by the two Companies jointly or either of them separately or for apportioning such cost between them and the two Companies may also subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Regulation of Railways Act 1873 from time to time enter into and carry into

36 & 37 Vict. c. 76.

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effect and rescind agreements with respect to the following purposes or any of them (that is to say) :—

The working use management and maintenance by the two Companies of their respective railways and works (including as regards the Central Company any railways which by any Act or Acts of the present session of Parliament they may be authorised to make) or any part or parts thereof respectively.

The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the railways of the two Companies or either of them.

The supply and maintenance under any agreement for the railway being worked and used by the two Companies of engines stock and plant necessary for the purposes of such agreement and the employment of officers and servants for the conduct of traffic.

The fixing collection payment appropriation apportionment and distribution of the tolls rates income and profits arising from the respective railways and works of the two Companies or either of them or any part thereof.

Tolls on traffic conveyed partly on the railway and partly on other railways.

61. During the continuance of any agreement to be entered into under the provisions of this Act for the working or use of the railway or any part thereof by the Central Company the railway of the two Companies shall for the purposes of short-distance tolls and charges be considered as one railway and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway of the Company and partly on the railways of the Central Company for a less distance than four miles tolls and charges may only be charged as for four miles and in respect of passengers for every mile or fraction of a mile beyond four miles tolls and charges as for one mile only and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond four miles tolls and charges as for a quarter of a mile only and no other short-distance charge shall be made for the conveyance of passengers animals or goods partly on the railway of the Company and partly on the railways of the Central Company.

Running powers to Belfast Holywood and Bangor Company over Central Railway where their lines altered. 43 & 44 Vict. c. clxxxiv.

62. If at any time after the passing of this Act the Belfast Holywood and Bangor Railway Company construct or alter their line of railway so that the same may be capable of being worked on a gauge of three feet then from and after such construction or alteration section 52 of the Belfast Central Railway (New Lines &c.) Act 1880 shall be read and have effect as though the words "except those railways which are to be constructed on a gauge of

three feet" were omitted from that section and as though the words "except the railways Nos. 4 5 6 7 and 8 by this Act authorised" were inserted in that section in lieu thereof.

Saving rights of the Crown in the foreshore.

63. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend 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.

Saving rights of Crown under Crown Lands Act 29 & 30 Vict. c. 62.

64. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty her heirs or successors.

Saving rights of the Crown.

65. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Her Majesty's Woods Forests and Land Revenues or either of them without the consent in writing of the same Commissioners or one of them on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby respectively authorised to give) neither shall anything in the said Act contained extend 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.

Interest not to be paid on calls paid up.

66. The Company shall not out of any money by this Act authorised to be raised pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

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Deposit for future Bills not to be paid out of capital.

67. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Provisions as to general Railway Acts.

68. Nothing in this Act contained shall exempt the Company or the railway from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised by this Act.

Costs of Act.

69. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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