CHAPTER cxxv.

An Act to empower the Belfast Street Tramways Company to construct additional Tramways to raise further Money and for other purposes. [14th July 1884.]

A.D. 1884.

WHEREAS by the Belfast Street Tramways Act 1872 (in this Act called "the Act of 1872") the Belfast Street Tramways Company (in this Act called "the Company") were incorporated for the purpose of completing and maintaining certain street tramways in the borough of Belfast which by an order of the Lord Lieutenant of Ireland in Council made on the 22nd day of December 1871 William Morris and Jorgen Daniel Larsen had been authorised to make and maintain and which are particularly described in the Act of 1872:

And whereas by the Belfast Street Tramways Act 1873 (in this Act called "the Act of 1873") and by the Belfast Street Tramways Act 1875 (in this Act called "the Act of 1875") the Company were authorised to construct additional street tramways in the counties of Antrim and Down:

And whereas by the Belfast Street Tramways Act 1878 (in this Act called "the Act of 1878") the Company were authorised to alter the gauge of their existing tramways and to construct additional tramways and to raise further money and by the Belfast Street Tramways Act 1880 the time limited by the Act of 1878 for the completion of the works by that Act authorised was extended to the period of three years from the passing of the Act of 1878:

And whereas the construction of the additional tramways by this Act authorised would be of public advantage and it is expedient that the Company be authorised to construct the same and to raise further moneys for that purpose:

And whereas between the respective points of commencement and termination of the double lines of Tramway Nos. 10 12 13 14 and 15 by this Act authorised there already exist single lines of tramway

A.D. 1884.

(herein-after called "the old single lines") and the traffic thereupon is found to be often greatly in excess of that which can be safely and conveniently carried by means of single lines of tramway and it is expedient that the Company be authorised to take up and remove and to appropriate to and use in the laying down of the double lines of tramway to be substituted therefor the rails and materials of the old single lines:

And whereas plans and sections showing the situation lines and levels of the tramways authorised by this Act and books of reference to such plans respectively were duly deposited with the respective clerks of the peace for the counties of Antrim and 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 Street Tramways Act 1884.

Incorporation of general Acts.

2. The provisions of the Companies Clauses Consolidation Act 1845—

With respect to the distribution of the capital of the Company into shares:

With respect to the transfer or transmission of shares:

With respect to the payment of subscriptions and the means of enforcing the payment of calls:

With respect to the forfeiture of shares for non-payment of calls:

With respect to the remedies of creditors of the Company against the shareholders:

With respect to the borrowing of money by the Company on mortgage or bond:

With respect to the conversion of the borrowed money into capital:

With respect to the consolidation of the shares into stock:

With respect to the making of dividends:

With respect to the giving of notices: and

With respect to the provision to be made for affording access to the special Act by all parties interested:

and Part I. (relating to the cancellation and surrender of shares) and Part II. (relating to additional capital) of the Companies

Clauses Act 1863 as amended by the Companies Clauses Act 1869 and the Lands Clauses Consolidation Acts 1845 (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) 1860 and 1869 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:

The expression "the corporation" shall mean the mayor aldermen and burgesses of the borough of Belfast:

The expression "the borough" shall mean the said borough of Belfast:

The expression "the borough surveyor" shall mean the surveyor for the time being of the borough:

The expression "the tramway" or "the tramways" shall mean and include the tramways hereby authorised to be made or any part or parts thereof respectively; and

The word "contingencies" in the Companies Clauses Consolidation Act 1845 (section 122) shall with reference to the Company be construed to include the contingency of the undertaking being sold to the local authority at a sum less than the aggregate amount of the capital and debts of the Company:

and subject to the provisions of this Act this Act shall be read and construed as one Act with the Acts of 1872, 1873, 1875, 1878, and 1880 as respectively amended by any subsequent Act and be executed accordingly: Provided always that where in section 97 of the Act of 1872 the expression "the Board of Trade" is used that section shall be read and have effect as if the expression "the Commissioners" had been used instead of the expression "the Board of Trade."

Power to make tramways.

4. Subject to the provisions of this Act the Company may form lay down work use and maintain the tramways herein-after described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper rails plates works and conveniences connected therewith. The tramways herein-before referred to and authorised by this Act are the portions herein-after described of the tramways shown on the deposited plans.

Mount Pottinger Extension.

A tramway (No. 1) 1 furlong and 0·55 chains or thereabouts in length commencing in Newtownards Road at the termination

A.D. 1884.

of the Company's existing tramway in that road by a junction therewith passing thence in an easterly direction along Newtownards Road across Connswater Bridge and terminating in Newtownards Road at a point opposite the Holywood Road:

Tramway No. 1 will be a single line except in the following instance where it will be a double line:

Between points respectively about 88 yards and about 22 yards westward from its termination.

Ormeau Road (Ballynafoy) Extension.

A tramway (No. 2) 1 mile 1 furlong and 9·00 chains or thereabouts in length commencing in Ormeau Road by a junction with the Company's existing tramway in that road at its termination passing thence southward along Ormeau Road and terminating in that road at the junction therewith of the old and new Newtownbreda roads:

Tramway No. 2 will be a single line except in the following instances where it will be a double line:

From its commencement to a point about 44 yards southward therefrom:

Between two points respectively about 44 yards north and about 44 yards south of the centre of the northern gate of Ormeau Park:

Between two points about 25 yards southward and about 105 yards southward from the centre of Hay Park Avenue:

From a point opposite Saint Jude's Church to a point about 88 yards southward therefrom:

From a point opposite the centre of Rosetta Avenue to a point about 88 yards southward therefrom:

Between two points respectively about 110 yards and about 22 yards northward from the termination of the tramway.

Royal Avenue Lines.

A tramway (No. 3) 2 furlongs and 7·36 chains or thereabouts in length commencing by junctions with the Company's existing lines in York Street at points about 20 yards north-eastward from the south-west corner of York Street at its junction with Donegall Street passing thence southward along York Street across Donegall Street and along Royal Avenue across Castle Place into and along Donegall Place and terminating therein by junctions with the Company's existing tramways at points about 30 yards southward from the centre of Castle Street:

Tramway No. 3 will be a double line for its entire length.

A tramway (No. 4) 2·73 chains or thereabouts in length commencing by junctions with the Company's existing line in Donegall Street at points about 20 yards northward from the northern corner of Royal Avenue and passing thence southward along Donegall Street and Royal Avenue and terminating therein at points about 20 yards southward from the northern corner of Royal Avenue:

Tramway No. 4 will be a double line for its entire length.

A tramway (No. 8) 4·31 chains or thereabouts in length commencing by a junction with the Company's existing lines in Castle Place at a point about 55 yards eastward from the lamp standard and safety crossing at the western end of Castle Place passing thence in a north-westerly direction along Castle Place and Royal Avenue and terminating therein at a point about 55 yards northward from the aforesaid lamp standard and safety crossing.

Crumlin Road Extension.

A tramway (No. 9) 4 furlongs and 6·80 chains or thereabouts in length commencing by junctions with the Company's existing tramways in that road at their termination passing thence in a westerly direction along Crumlin Road and terminating therein at a point opposite Leopold Street:

Tramway No. 9 will be a single line except between the following points where it will be a double line:

From its commencement to a point opposite the centre of Agnes Street:

From a point opposite the centre of Silvio Street to a point about 88 yards westward therefrom:

Between two points about 22 yards and about 110 yards eastward from the termination of the tramway.

Doubling of Crumlin Road Line.

A tramway (No. 10) 7·50 chains or thereabouts in length commencing by a junction with the Company's existing line in Crumlin Road at a point opposite the centre of Carlisle Street passing thence in a westerly direction along Crumlin Road and terminating therein by junctions with the Company's existing lines at a point opposite the centre of Fairview Street:

Tramway No. 10 will be a double line throughout.

Falls Road Line.

A tramway (No. 11) 2 miles 2 furlongs and 8·06 chains or thereabouts in length commencing by a junction with the Company's existing line of tramway in Wellington Place at a point about 30 yards east of the Cooke statue in College Square passing

A.D. 1884.

along Wellington Place into and in a northerly direction along College Square East into and along College Square North New Durham Street Divis Street and the Falls Road and terminating in that road at a point about 60 yards to the westward of the entrance to the Falls Public Park:

Tramway No. 11 will be a single line except in the following instances in which it will be a double line:

From the commencement to a point about 80 yards therefrom:

From a point about 80 yards south-east of Galway Street to a point opposite Galway Street:

From a point opposite Boundary Street to a point about 80 yards west thereof:

From a point opposite Lemon Street to a point about 80 yards south-west thereof:

From a point opposite Leeson Street to a point about 80 yards south-west thereof:

From a point about 250 yards south-west of Grosvenor Street to a point about 330 yards south-west of the same street:

From a point about 100 yards south-west of Broadway to a point about 180 yards south-west thereof:

From a point about 40 yards north-east of Blackstaff Lane to a point about 40 yards south-west thereof:

From a point opposite the entrance to Railway View Cottage to a point about 80 yards south-west thereof:

From a point about 40 yards east of the entrance to the Falls Public Park to a point about 40 yards to the west thereof.

Doubling of Existing Tramways.

Tramway (No. 12) (double line) 3 furlongs and 4·25 chains or thereabouts in length wholly in Antrim Road otherwise Duncairn Street commencing and terminating by junctions with the Company's existing tramways in that road or street at points respectively opposite the centre of Annesley Street and opposite the entrance to St. James's Church:

Tramway (No. 13) (double line) 2 furlongs and 3·25 chains or thereabouts in length wholly in the said Antrim Road otherwise Duncairn Street commencing and terminating by junctions with the Company's existing tramways in that road or street at points respectively opposite the centre of Brookvale Avenue and opposite the entrance gate to Dunmore House:

Tramway (No. 14) (double line) 1 furlong and 1·10 chains or thereabouts in length wholly in Antrim Road commencing and

terminating by junctions with the Company's existing tramways in that road at points respectively about 250 yards south of the centre of Buttermilk Lane and opposite the centre of Buttermilk Lane:

Tramway (No. 15) (double line) 3 furlongs and 4·20 chains or thereabouts in length commencing at the centre of the bridge carrying Great Victoria Street over the Blackstaff River and terminating by a junction with the Company's existing tramway at a point opposite the Windsor Station of the Central Railway.

For the protection of the Belfast Water Commissioners.

5. Whereas certain mains pipes services and other works belonging to and now in use by the commissioners acting in execution of the Belfast Water Acts 1840 1865 1874 1879 and 1884 inclusive (and who are herein-after called the Water Commissioners) for the purpose of their water supply are laid in under or across certain of the roads streets or lands along or across which the tramways and works or some part thereof respectively 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 limits of supply 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 tramways 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 or required to do or execute with reference to 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 accompanied by a plan of the proposed works shall have been given by the Company to the Water Commissioners 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:

A.D. 1884.

(B.) 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:

(C.) 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:

(D.) If and when the Company under the powers of this Act acquire and appropriate any lands houses and buildings which are served with water by the mains pipes services or works of the Water Commissioners laid down and maintained by them in any road street highway or place or stop up any such road street highway or place so that the same mains pipes services and works or any of them or any parts thereof respectively become useless for supplying water the Company shall at their own expense take up such mains pipes services and works or such parts thereof respectively as shall so become useless and 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:

(E.) The Water Commissioners shall not be liable for any loss or damage which may happen to the tramways or works or appurtenances connected therewith or to the passengers conveyed upon the tramways by reason of any accident which may at any time happen to the now existing mains pipes services or other works of the Water Commissioners at under or near the tramways nor for any loss or damage to the Company arising from the stoppage or loss of traffic on the tramways during the repair of the said mains pipes services or other works which may be necessary in consequence of such accident unless such loss or damage shall have been occasioned by the default or neglect of the Water Commissioners or of their agents officers workmen or servants:

(F.) Nothing in this Act shall prevent the Water Commissioners from laying at their own expense from time to time as they

may think fit such additional mains or pipes with all scour pipes and air and other valves for supplying water as they are now authorised to lay or from altering diverting repairing or from time to time inspecting any of their now authorised mains pipes services or other works at under over across or near the tramways and the Water Commissioners shall not be liable for any damage to the tramways or works connected therewith or for any stoppage of the tramways 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 tramways 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 tramways and so far as they affect the tramways according to the directions and under the superintendence of the engineer for the time being of the Company :

(G.) 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 therewith 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 :

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

Power to take up and use materials of old single lines.

6. The Company may take up and remove and appropriate to and use in the construction of the double lines of Tramway Nos. 10, 12, 13, 14 and 15 by this Act authorised the rails and materials of the old single lines.

Gauge of new tramways.

7. The tramways by this Act authorised shall be made and maintained on the gauge of four feet eight and a half inches.

In making the tramways Company not to prevent traffic passing along street.

8. The Company shall not in the construction of any of the tramways by this Act authorised stop up or interfere with any street within the borough so as to prevent the passage of traffic along such street or alter the level of the surface of any street or part thereof within the borough except with the previous consent in writing of the corporation.

A.D. 1884.

Period for completion of works.

9. If the tramways authorised by this Act be not completed within three 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 tramways or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Power to apply existing funds.

10. The Company may from time to time apply towards any of the purposes of this Act or to the general purposes of their undertaking being in each case purposes to which capital is properly applicable any moneys which they have raised or may hereafter raise under any other Act or Acts and which may not be required for the purposes to which by the respective Acts such moneys are made applicable.

Penalty imposed unless the line opened within the time limited.

11. If the Company fail within the period limited by this Act to complete the tramways authorised to be made by this Act the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the said tramways are completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the works and the said penalty may be applied for by any road authority landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the Solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in the third section of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name and with the privity of the Accountant-General of the Chancery Division of the High Court of Justice in Ireland in the bank named in such warrant or order and shall not be paid thereout except as hereinafter provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company were prevented from completing or opening such line by unforeseen accident or circumstances beyond their control provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalties.

12. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "Dublin Gazette" shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the said tramways or any portion thereof and for

which injury or loss no compensation or inadequate compensation shall have been paid and in compensating all road authorities for the expense incurred by them in taking up any tramway or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively and in making good all damage caused to such roads by the construction or abandonment of such tramways and shall be distributed 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 shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty 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 of the High Court of Justice in Ireland 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.

Power to raise additional capital.

13. The Company may from time to time raise by the creation and issue of new ordinary shares or new ordinary stock or (at the option of the Company) by either of those modes any further sum or sums of money not exceeding in the whole one hundred and twenty-four thousand pounds.

Power to borrow.

14. The Company may from time to time borrow on mortgage of their undertaking in addition to the sums which by their former Acts they are authorised to borrow any sum or sums not exceeding in the whole thirty-one thousand pounds and of that sum they may borrow any sum or sums not exceeding two thousand five hundred pounds in respect of each ten thousand pounds of such additional capital but no part of any such sum of two thousand five hundred pounds shall be borrowed until the whole of the ten thousand pounds additional capital in respect of which it is to be borrowed 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

A.D. 1884.

(before he so certifies) that the whole of such portion of additional 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 or the whole of the stock in such portion of additional capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such portion of additional 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.

Repealing provisions of former Acts as to receiver.

15. The provisions of all former Acts relating to the Company for the appointment of a receiver are hereby repealed but without prejudice to any appointment heretofore made or proceedings now pending.

For appointment of a receiver.

16. 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 three thousand pounds in the whole.

Existing mortgages to have priority.

17. All mortgages granted by the Company before the passing of this Act in pursuance of the powers of any former Act relating to the Company and which shall be subsisting at the time of the passing of this Act shall during the continuance of such mortgages have priority over any mortgages to be granted by virtue of this Act.

Moneys borrowed on mortgage to have priority.

18. All moneys borrowed or to be borrowed on mortgage under this Act or any other Act empowering the Company to borrow money on mortgage from the time when the same shall be advanced and the interest for the time being due thereon shall have priority against the Company and all the property from time to time of the Company over all other claims on account of any debts incurred or to be incurred or engagements entered into or to be entered into by them but nothing in this section shall affect any claim in respect of land acquired by the Company for the purposes of this Act or injuriously affected by the construction of the tramway or by the exercise of any of the powers conferred upon the Company.

Application of moneys.

19. All moneys raised under this Act whether by shares stock or borrowing shall be applied for the purposes only of this Act and other the general purposes of the Company to which capital is properly applicable.

Certain sections of Acts of 1872 and 1873 to apply to additional works and capital.

20. The provisions of the sections of the Act of 1872 numbered 7, 8, 17, 21, 22 (which shall be read for the purposes of this Act as if the words "or the tramway undertaking" were inserted after the word "tramway") 23 and 41 (except so much thereof as relates to the gauge of the tramways) and 42 to 75 (both inclusive) 77 to 81 (both inclusive) 83, 84, 87 to 100 (both inclusive) and 102, 106, 107, 108 and 109 and the provisions of the sections of the Act of 1873 numbered 9, 19 and 23 shall apply to the additional works by this Act authorised and to the costs and expenses of and connected therewith and with this Act and the additional capital to be raised in respect thereof and to the tolls rates and charges to be demanded and taken by the Company on or in respect of the new tramways: Provided always that the provisions of sections 45, 48 and 79 to 81 (both inclusive) and 100, 106 and 107 of the Act of 1872 shall not apply to or in respect of such parts of the tramways by this Act authorised as will be situate outside the borough and that in construing with respect to those parts of the tramways the other sections above mentioned of the Act of 1872 those sections shall be read and have effect as if the grand jury of the county of Antrim or the grand jury of the county of Down (as the case may be) were named therein instead of the corporation and the respective surveyors of the said counties were named therein instead of the borough surveyor and as if the townland in which the respective tramway or part of a tramway will be situate were named in the said sections instead of the borough.

As to purchase of tramways by the corporation.

21. Whereas by section 82 of the Act of 1872 the corporation are empowered within six months after the expiration of a period of twenty-one years from the passing of that Act and at certain other periods therein mentioned to require the Company to sell their undertaking or so much of the same as is within the borough to the corporation and the operation of the said section has been extended so as to include the tramways authorised by the Acts of 1873 and 1875 And whereas by section 22 of the Act of 1878 the said section 82 of the Act of 1872 was extended so as to include the works thereby authorised (except such parts of Tramways Nos. 5 and 6 thereby authorised as would be situated outside the borough) and it was provided by the said section 22 of the Act of 1878 that if the corporation at any time within six months after the expiration of twenty-one years from the passing of the Act of 1872 should require the Company to sell to them the new tramways authorised by the

A.D. 1884.

Act of 1878 or such parts thereof as by that Act the Company were bound upon such requisition to sell to the corporation the corporation should pay to the Company in addition to the value thereof as defined by section 82 of the Act of 1872 such further sum as should be equal to six years purchase of the goodwill of the new tramways or the parts of the new tramways so required to be sold And whereas it has been agreed between the Company and the corporation as one of the conditions of the consent of the corporation to the Bill for this Act that the said section 82 of the Act of 1872 should be extended as herein-after mentioned and that the recited provisions of section 22 of the Act of 1878 should be repealed and it is expedient that provision should be made accordingly :

Be it therefore enacted as follows :—

(1.) The recited proviso to section 22 of the Act of 1878 shall be and the same is hereby repealed :

(2.) The expression "the undertaking" in the said section 82 of the Act of 1872 shall be deemed to include all the tramways and works of the Company whether authorised under that Act or any Act subsequently passed or this Act or otherwise laid down and constructed by the Company within the borough as it may by law be defined at the time when the corporation shall so require to purchase :

(3.) If the corporation require the Company by notice in writing to sell the undertaking or so much thereof as shall be within the borough as aforesaid within six months after the expiration of a period of twenty-one years after the passing of the Act of 1872 the Company shall be entitled to an additional allowance in respect of any tramways constructed by them under the authority of the Act of 1878 or this Act but no such allowance shall be made in respect of the doubling of any existing tramway or part or parts thereof :

(4.) Such additional allowance shall consist of a sum of money by way of compensation to the Company for loss of profits which might have been obtained by them from the tramways authorised by the Act of 1878 and this Act respectively if such tramways had remained in the possession of the Company for a period of twenty-one years from the passing of the Act by which they were respectively authorised and if the amount of such additional allowance be not agreed upon between the Company and the corporation it shall be determined by a referee appointed in accordance with the said section 82 of the said Act of 1872.

For the protection of the Corpo-

22. For the protection of the corporation and the streets within the borough the following provisions shall have effect :—

A.D. 1884.

(1.) Notwithstanding anything on the deposited plans Nos. 3 and 8 shall not except with the consent of the corporation under their corporate seal be made otherwise than in the lines shown on a plan signed in duplicate by the Right Honourable John Thomas Earl of Redesdale the Chairman of Committees of the House of Lords one copy whereof has been deposited in the office of the Clerk of the Parliaments and another copy whereof has been deposited at the office of the town clerk of the borough:

ration of Belfast.

(2.) The siding at the junction of College Square North and Durham Street shall not without the like consent extend beyond College Square North:

(3.) The distance between the rails of any of the tramways which will be a double line shall (unless with such consent as aforesaid) be four feet nor shall any rail of any tramway or siding be laid nearer to the kerb of the footway or the fence where there is no kerb than nine feet and six inches:

(4.) Notwithstanding anything in the deposited plans and sections contained the Company may and shall from time to time at the request of the corporation under their corporate seal alter the position of the Tramway No. 2 to be laid upon Ormeau Bridge and of the Tramways Nos. 3 and 4 to be laid at the junction of Royal Avenue with Donegall Street and York Street in such manner as may appear to the corporation most conducive to the convenience of the general traffic.

For the protection of the ratepayers of the county of Down and others.

23. For the protection of the ratepayers of the county of Down and the persons using the roads in such county the following provisions with reference to the construction and mode of laying the tramways in such county but outside the borough of Belfast shall apply and have effect:

(1.) The tramway shall when laid on any public road be laid so as to cause as little inconvenience as may be to the traffic:

(2.) The tramways along public roads shall be laid with square sets in the same manner as the tramways of the Company are now laid in the town of Belfast:

(3.) The Company shall from sunset to sunrise keep the terminus of the tramway in the county of Down well and sufficiently lighted:

(4.) The Board of Trade may from time to time upon the application of the road authority require the Company to adopt and apply such improvements in the tramway including the rails thereof as experience may from time to time suggest having regard to the greater security and convenience of the public and the Company shall with all reasonable despatch comply

A.D. 1884.

with any order made by the Board of Trade for the purpose of carrying out such improvements.

Purchase of land by agreement.

24. The Company may from time to time purchase and acquire (by agreement) such land as they may require for their undertaking not exceeding in the whole three acres in addition to the lands which they were by the recited Acts authorised to acquire.

Company to carry mails.

25. The Company if required by the Postmaster-General shall perform with respect to the tramways authorised by this Act and the Acts of 1872 1873 1875 1878 and 1880 as amended by this Act or any of them all such reasonable services in regard to the conveyance of mails including parcels as the Postmaster-General may from time to time require by notice under the hand of one of the secretaries or assistant secretaries of the Post Office or the Inspector General of Mails for the time being the remuneration for such services being determined by agreement or failing agreement by a referee to be appointed by the Board of Trade at the request of either party. Provided that except by agreement no mails shall be tendered for conveyance to the Company unless such mails are in charge of an officer of the Post Office. And provided that (except as aforesaid) the aggregate weight of mails in charge of any one officer shall not exceed the maximum weight of luggage for the time being allowed to an ordinary passenger.

In this section the expressions "mails" and "parcels" have the same meaning as in the Regulation of Railways Act 1873 and the Post Office (Parcels) Act 1882 respectively.

Interest not to be paid on calls paid up.

26. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise 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.

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

27. 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 tramway or to execute any other work or undertaking.

Saving for general Acts.

28. Notwithstanding anything contained in this Act the Company and any persons using any tramways to which the same applies shall be subject and liable to the provisions of any general Act which

may hereafter be passed during this or any future session of Parliament relating to tramways or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon and to any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised by any Act relating to the Company and to any condition regulation or restriction which may be imposed upon the use of tramways or upon the use on tramways of animal power steam power or any mechanical power by any such general Act as aforesaid.

Costs of Act.

29. 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.

LONDON: Printed by Eyre and Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1884.