ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

Cap. liv.

An Act for making a Railway from *Carrickfergus* to *Larne*, and for other Purposes.

[15th *May* 1860.]

WHEREAS the making of a Railway from the *Belfast and Ballymena* Railway at or near *Carrickfergus* to the Town of *Larne* would be of great public Advantage: And whereas the Persons herein-after named, with others, are willing to carry such Undertaking into execution: And whereas it is expedient that the *Belfast and Ballymena* Railway Company should be enabled to subscribe towards such Undertaking, and that the Company incorporated by this Act (in this Act called "the Company") and the *Belfast and Ballymena* Railway Company should be enabled to enter into Traffic and Working Agreements, as herein-after mentioned: And whereas the Objects and 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; that is to say,

I. "The Companies Clauses Consolidation Act, 1845," "The Railways Clauses Consolidation Act, 1845," "The Railways Act (*Ireland*), 1851," the Act of the Nineteenth and Twentieth *Victoria*, Chapter Seventy-three, intituled *An Act to continue the Railways Act* (Ireland), 1851, *and the* 8 & 9 Vict. cc. 16. 18. & 20., and 14 & 15 Vict. c. 70. &c., incorporated.

Lands Clauses Consolidation Act, 1845, *so far as the same is consistent with the Railways Act* (Ireland), 1851, shall be incorporated with and form Part of this Act:

Short Title.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Carrickfergus and Larne* Railway Act, 1860."

Subscribers incorporated.

III. *David Stewart Ker, Conway Richard Dobbs, James Agnew, John Thomson, George Gray, Edward Coey, John Smyth, Edmund M'Gildowny Casement, George Birch Johnston, Samuel Gibson Getty, James Macaulay, Thomas Barklie, Robert Stewart Lepper, Robert Grimshaw, John Macaulay, Malcolm M'Neill, Thomas Kirkpatrick, Thomas Dixon, Samuel Chichester*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway hereinafter described, with all proper Works and Conveniences connected therewith, according to the Provisions of this Act and the Acts incorporated therewith, and for the Purposes aforesaid shall be incorporated by the Name of "The *Carrickfergus and Larne* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. Subject to the Powers of converting Loans into Capital in "The Companies Clauses Consolidation Act, 1845," contained, the Capital of the Company in Shares shall be One hundred and twenty-five thousand Pounds; and all and every Part of the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

Shares.

V. The Number of Shares into which the said Capital shall be divided shall be Five thousand, and the Amount of each Share shall be Twenty-five Pounds.

Calls.

VI. Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and Twelve Pounds Ten Shillings *per* Share shall be the greatest aggregate Amount of Calls to be made thereon in any One Year.

Power to borrow on Mortgage.

VII. It shall be lawful for the Company to borrow on Mortgage of their Undertaking any Sums of Money, not exceeding in the whole the Sum of Forty-one thousand five hundred Pounds, but no Part of that Sum shall be borrowed until the whole of the said Capital of One hundred

hundred and twenty-five thousand Pounds shall have been subscribed for *bonâ fide*, and shall be held by Subscribers or their Assigns, and for which such Subscribers or their Assigns shall be legally liable, and One Half thereof paid up, and all and every Part of the Money so to be borrowed shall be applied in carrying the Purposes of this Act into execution.

Arrears may be enforced by Appointment of Receiver.

VIII. It shall be lawful for the Mortgagees of the Company to enforce Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver, and the Amount necessary to authorize the Appointment of a Receiver shall not be less than Six thousand Pounds in the whole.

Interest not to be paid on Calls paid up.

IX. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholders on the Amount of Calls made in respect of the Shares held by them in the Capital of the Company: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him on the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Deposits on future Bills not to be paid out of Capital.

X. The Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised for the Purpose of such Act or Acts, pay or deposit any Sum of Money which by any Standing Order of either House of Parliament for the Time being in force may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Quorum at Meetings of the Company.

XI. The Quorum for every General Meeting of the Company, whether ordinary or extraordinary, shall be Ten Shareholders present, personally or by Proxy, and holding in the aggregate not less than Six thousand Pounds in the Capital of the Company.

Number of Shareholders to convene Extraordinary Meetings.

XII. The Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall be not less than Ten Shareholders holding in the aggregate not less than Six thousand Pounds in the Capital of the Company.

Number and Qualification of Directors.

XIII. The Number of Directors shall be Twelve, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

First Directors.

XIV. *David Stewart Ker, Conway Richard Dobbs, Robert Grimshaw, Edward Coey, John Thomson, James Agnew, George Birch Johnston, Edmund*

Edmund M'Gildowny Casement, *James Macaulay*, *Thomas Kirkpatrick*, and *Thomas Dixon* shall be Eleven of the First Directors of the Company.

Election of Directors at First General Meeting.

XV. The Directors appointed by this Act, or such of them as shall not die or resign, or become disqualified or be removed, shall continue in Office until the First Ordinary General Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may continue in Office the Directors appointed by this Act, or any Number of them, or may elect new Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible to be elected as Members of such new Body.

Subsequent Election of Directors.

XVI. At the First Ordinary General Meeting to be held in every Year after the First General Meeting the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by "The Companies Clauses Consolidation Act, 1845."

Committees of Directors.

XVII. The Number of Directors of which Committees appointed by the Directors shall consist shall be such Number as the Directors shall from Time to Time think fit, not being less than Three.

Power to reduce Number of Directors.

XVIII. The Company may from Time to Time reduce the Number of Directors, provided that the Number of Directors after any such Reduction be not less than Three.

Quorum of Meetings.

XIX. The Quorum of a Meeting of Directors shall be Three.

Periods for Balance and Inspection of Books.

XX. The Periods to which the Books of the Company shall be brought to balance shall be the Thirty-first Day of *December* and the Thirtieth Day of *June* in each Year.

Qualification of Auditors.

XXI. The Qualification of every Auditor appointed under this Act shall be the Possession in his own Right of at least Ten Shares in the Undertaking.

Power to make Railway as herein mentioned.

XXII. It shall be lawful for the Company to make and maintain the Railway herein-after mentioned, with all proper Works and Conveniences connected therewith; (that is to say,)

A Railway commencing by a Junction with the *Belfast and Ballymena* Railway at or near the Bridge over the *Woodburn* River in the West

West Division of the County of the Town of *Carrickfergus* in the Parish of *St. Nicholas* otherwise *Carrickfergus* and County of the Town of *Carrickfergus*, and terminating at, upon, or near the Pier or Quay in the Occupation of *James Agnew* Esquire, in the *Curran of Larne* in the Townland of *Curran* and *Drumaliss* in the Parish of *Larne* otherwise *Inver* and County of *Antrim*.

Railway to be made according to deposited Plans.

XXIII. Whereas Plans and Sections of the Railway, showing the Line and Levels thereof, and also a Book of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes thereof, have been deposited with the Clerks of the Peace of the County of the Town of *Carrickfergus* and the County of *Antrim*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the incorporated Acts contained, the Railway shall be made in the Line or Course and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and subject to the aforesaid Provisions it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for the Railway and the Works connected therewith.

As to Deposit of Plans with Clerks of Unions.

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

Lands for extraordinary Purposes.

XXV. The Company may by Agreement purchase Land adjoining or near to the Railway for the extraordinary Purposes mentioned in the "Railways Clauses Consolidation Act, 1845," but the Quantity of Land so to be purchased shall not exceed Three Acres.

Powers for compulsory Purchases limited.

XXVI. 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.

Period for Completion of Railway.

XXVII. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the Railway shall cease.

Plans of Works affecting tidal Waters to be deposited with the Admiralty, &c.

XXVIII. Previously to commencing any Work below High-water Mark, or any Work in or affecting any tidal Water, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of every such Work, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and every such Work shall be constructed only in accordance with such Approval; and when any such Work shall have been commenced or constructed, it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Work shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Railway not to deviate seaward of centre Line marked on Plans without the Consent of the Admiralty.

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

If any Deviation requiring previous Consent of Admiralty is

XXX. If any Deviation which requires the previous Consent of the said Lord High Admiral or the said Commissioners be made without such Consent, it shall be lawful for the said Lord High Admiral or the said Commissioners to abate every such Deviation or any Part thereof; and

and the Cost of every such Abatement shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

made without such Consent, Admiralty may abate such Deviation.

XXXI. Where the Railway skirts the Shores of *Belfast Lough* and *Lough Larne*, and cuts off or will cut off Access between the Land and Water, the Company shall during the Formation of the Line of Railway, and from Time to Time thereafter, make and for ever maintain, and allow to be used by all Persons and at all Times, free of Toll or other Charge, all such Footways and Carriageways over, under, or across the Railway, or on a Level therewith, as the said Lord High Admiral or the said Commissioners shall at any Time or from Time to Time require, such Requirement to be signified in Writing under the Hand of the Secretary of the Admiralty: Provided always, that the Company shall not be required to make such Footways or Carriageways in such a Manner as would prevent or obstruct the working or using of the Railway, nor to make any such Footways or Carriageways over any Lands for the Use of Owners and Occupiers who shall have agreed to receive and shall have been paid Compensation for the Severance of such Lands from the Shore: Provided also, that the Expense of making and maintaining such Footways or Carriageways shall be defrayed by the Body or Persons interested in the Shore for whose Benefit or Convenience such Crossing shall be required; and if any such Carriageway be made across the Railway on the Level, then the Manner of making and watching such level Crossing shall be subject to the Approval of the Board of Trade, and all Expenses attending the watching of such level Crossing shall in like Manner be paid by the Body or Persons interested in the Shore for whose Benefit or Convenience such level Crossing shall have been made.

Where the Railway skirts Belfast Lough and Lough Larne, Company to make and maintain such Communications over, under, or across the Railway as may be required by the Admiralty.

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

Admiralty may order local Survey, at the Expense of the Company.

XXXIII. If any Work to be constructed by the Company in or across any tidal Water or navigable River, or if any Portion of such Work which affects any such Water or River or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of

If Works affecting tidal Waters are abandoned, &c., they may be removed, at

the Expense of the Company.

of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company; and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Mode of effecting Communication with Belfast and Ballymena Railway.

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

Expenses of Communications to be borne by the Company.

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

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

XXXVI. The *Belfast and Ballymena* Railway Company may from Time to Time erect, maintain, and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, and other Servants as they may deem necessary for the Prevention of Damage to or Detention of or Interference with the Traffic at or near the Junction between their Railway and the Railway hereby authorized; and the Working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, and other Servants, shall belong exclusively to the *Belfast and Ballymena* Company; and all the Costs and Expenses during each Half Year of erecting and maintaining and altering such Signals, Works, and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall at the Expiration of each Half Year be repaid by the Company to the *Belfast and Ballymena* Company, on Demand, and

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in default the Amount of such Costs and Expenses may be recovered from the Company in any Court of competent Jurisdiction.

The Belfast and Ballymena Company may acquire Shares in Undertaking of the Company.

XXXVII. It shall be lawful for the *Belfast and Ballymena* Railway Company, with the Consent of Three Fifths of the Shareholders of that Company present, in Person or by Proxy, at any General Meeting of that Company specially convened for the Purpose, to subscribe towards and become Shareholders in the Undertaking of the Company to any Extent not exceeding Twenty thousand Pounds; and the *Belfast and Ballymena* Railway Company may pay the said Sum of Twenty thousand Pounds or any Part thereof out of any Monies which they have raised or are or may be authorized to raise under the Provisions of any Act or Acts relating to the *Belfast and Ballymena* Company, and which may not be required for the Purposes to which they are by any such Act made specially applicable, or may raise all or any Part of the Money so authorized to be subscribed by them by the Creation of new Shares in their Undertaking, of such Amount and with such Privileges of Preference or Priority in Payment of Dividend at any Rate not exceeding Four Pounds Ten Shillings *per Centum per Annum* as shall be determined at such Meeting: Provided always, that it shall not be lawful for the *Belfast and Ballymena* Company to assign or transfer any Shares which they may acquire in the Undertaking of the Company under the Authority of this Act: Provided also, that all Sums raised by the *Belfast and Ballymena* Company under the Powers of this Act shall be applied only to the taking and holding and paying Calls upon Shares acquired by that Company in the Undertaking of the Company.

Dividends on new Shares or Stock in Belfast Company, how to be paid.

XXXVIII. Any new Shares created by the *Belfast and Ballymena* Company, under the Provisions of this Act, shall be entitled to the preferential Dividend (if any) which may have been assigned to them by that Company out of the Profits of each Year, in Priority to the ordinary Shares in that Company; but if in any Year ending on the Thirty-first Day of *December* there shall not be Profits available for the Payment of the full Amount of such preferential Dividend 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 *Belfast and Ballymena* Company.

Former Grants of Preference with respect to the Belfast and Ballymena Company not to be affected.

XXXIX. No Guarantee or Preference which may be assigned to any Shares created by the *Belfast and Ballymena* Railway Company under the Provisions of this Act shall prejudice or affect any Preference or Priority in the Payment of any Interest or Dividend on any other Stock or Shares which shall have been granted by the *Belfast and Ballymena* Company, in pursuance of or which may have been confirmed by any previous Act of Parliament, or which may otherwise be lawfully subsisting.

Power to Belfast and Ballymena Company to appoint Persons to vote in their Behalf.

XL. The *Belfast and Ballymena* Company, or their Directors, may, so soon as the *Belfast and Ballymena* Company have become Subscribers to the Undertaking of the Company, appoint some Person (whether a Proprietor of Shares in that Undertaking or not) to vote on their Behalf at any Meeting of the Company, and may from Time to Time revoke any such Appointment, and appoint another Person in that Behalf, and the Person so for the Time being appointed shall during his Appointment have (except as herein-after mentioned) the same Right of voting at any such Meeting as he would have had if the Shares in the Undertaking for the Time being held by the *Belfast and Ballymena* Company were held by such Person in his own Right: Provided always, that every such Appointment or Revocation shall be in Writing, and under the Seal of the *Belfast and Ballymena* Company, or under the Hand of the Chairman or Deputy Chairman for the Time being of the Directors of that Company: Provided also, that if and so long as the *Belfast and Ballymena* Company have or exercise a Power of appointing a Director or Directors of the Company, under the Powers of this Act in that Behalf, the Person appointed by the *Belfast and Ballymena* Company to vote on their Behalf shall not by virtue of such Appointment be entitled to vote upon any Question touching the Election of a Director or Directors of the Company.

Power to Belfast and Ballymena Company to appoint Directors.

XLI. So soon as the *Belfast and Ballymena* Company have become Shareholders to the Undertaking to the Extent of Twelve thousand five hundred Pounds, the Number of the Directors of the Company, if then less than Twelve, shall be increased to Twelve, and shall, subject to the Provisions of this Act, thenceforward during the Continuance of the Power by this Act granted to the *Belfast and Ballymena* Company to appoint Directors be neither more nor less than Twelve, of whom, so long as the *Belfast and Ballymena* Company are the Holders of less than Twenty thousand Pounds in the Undertaking of the Company, Eleven shall from Time to Time be appointed by the Shareholders of the Company, exclusively of the *Belfast and Ballymena* Company, and One shall from Time to Time be appointed by the Directors of the *Belfast and Ballymena* Company out of their own Body; and so soon as the *Belfast and Ballymena* Company shall have become the Holders of the full Sum of Twenty thousand Pounds in the Undertaking of the Company, Ten of the said Directors shall be appointed by the Shareholders of the Company exclusively as aforesaid, and the remaining Two shall be appointed by the Directors of the *Belfast and Ballymena* Company out of their own Body; and every Director so appointed by those Directors shall continue in Office until he shall die, resign, become incapable of acting, or be removed from Office, as herein-after mentioned, or become disqualified by ceasing to be a Director of the *Belfast and Ballymena* Company; and every Director so appointed shall have the same Powers as the Directors appointed by

by the Shareholders of the Company; and the Directors of the *Belfast and Ballymena* Company may from Time to Time remove from Office any Director appointed by them, and may appoint another Person out of their own Body in the Stead of any Director who shall be so removed, or who shall die, resign, or become disqualified as aforesaid, or incapable of acting.

The necessary Number of Directors to go out of Office.

XLII. If before and at the Time of the accruing of the Right of the *Belfast and Ballymena* Company to appoint Directors the Number of the Directors of the Company shall be greater than Eleven, so many of the Directors of the Company shall go out of Office as may be necessary in order to reduce the Number of Directors appointed by the Shareholders to Eleven or Ten, as the Case may require, and the Selection of the Directors, if any, who are to go out of Office for that Purpose, shall be determined by Ballot among the then existing Directors, unless they shall otherwise agree.

A Certificate of the Appointment, &c. of any such Director to be sufficient Evidence of such Appointment.

XLIII. A Certificate in Writing of the Appointment, Removal, Resignation, Incapacity, or Disqualification of any Director of the Company appointed on behalf of the *Belfast and Ballymena* Company, under the Common Seal of that Company, or under the Hand of the Chairman or Deputy Chairman for the Time being of the Directors of that Company, shall, as soon as conveniently may be after the Event therein certified shall have occurred, be deposited at the principal Office of the Company, and shall be sufficient Evidence of the Fact thereby certified: Provided always, that if the Directors of the *Belfast and Ballymena* Company shall at any Time fail or omit to appoint a Director or Directors of the Company, under the Powers in that Behalf herein contained, the Powers of the remaining Directors of the Company shall be in nowise affected by such Failure or Omission.

Certain Provisions of 8 & 9 Vict. c. 16. not to apply to any Director appointed by the Belfast and Ballymena Company.

XLIV. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Election, Qualification, Retirement from Office, and Rotation of Directors, shall not apply to any Director of the Company appointed by the *Belfast and Ballymena* Company under the Provisions of this Act.

Power of the Belfast and Ballymena Company to appoint Directors to cease at the End of 5 Years from passing of this Act.

XLV. The Power by this Act granted to the *Belfast and Ballymena* Company to appoint Directors of the Company shall cease and determine at the Expiration of Five Years from the passing of this Act; and at the ordinary half-yearly General Meeting of the Company which shall next happen after the Expiration of the said Period of Five Years any Director or Directors of the Company who may have been appointed by the *Belfast and Ballymena* Company, and who may then be in Office, shall go out of Office, and his or their Places may (if the Shareholders present at such Meeting, personally or by Proxy, think fit,) be supplied by a Person

a Person or Persons to be elected by the Shareholders present at such Meeting, personally or by Proxy, in the Manner prescribed by "The Companies Clauses Consolidation Act, 1845," with respect to the Appointment and Rotation of Directors.

Tolls.

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

Tonnage on Articles of Merchandise.

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

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of Public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed by Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, 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 not exceeding Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

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

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

And for every Carriage, of whatever Description, and not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Sixpence, and a Sum of Three Halfpence *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 Passengers or Cattle.

XLVII. In respect of Passengers and Animals conveyed in Carriages upon the Railway, the Company may demand any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

For every Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging

belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

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

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

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

Tolls for propelling Power.

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

Maximum Charges for Conveyance of Passengers.

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

For every Passenger conveyed in a First-class Carriage, the Sum of 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.

Restrictions as to Charges not to apply to Special Trains.

L. The Restrictions as to Charges to be made for Passengers, Articles, and Things herein-before and herein-after mentioned shall not extend to any Special Train that may be required to run on the Railway, but shall apply only to the ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers, Animals, and Goods upon the Railway.

Maximum Charges for Conveyance of Goods and Cattle.

LI. It shall not be lawful for the Company to charge, in respect of the several Articles, Matters, and Things, and of the several Descriptions of Animals, herein-after mentioned, conveyed on the Railway, any greater Sum,

Sum, including the Charges for the Use of Carriages, Waggons, or Trucks, and for locomotive Power, and all other Charges incidental to such Conveyance, than the several Sums herein-after mentioned; (that is to say,)

For Dung, and other Articles herein-before classed therewith, *per* Ton *per* Mile Three Halfpence:

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

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

For Cotton, and other Articles herein-before classed therewith, *per* Ton *per* Mile Fourpence:

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

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

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile Threepence; for every Calf or Pig, One Penny Halfpenny; and for every Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile One Penny.

Regulations as to Tolls.

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

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

For a Fraction of a Mile above Four Miles or beyond any greater Number of Miles the Company may demand Toll 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:

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

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

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

LIII. And

Tolls for small Parcels and Articles of great Weight.

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

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

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

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

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

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

And for Parcels exceeding Fifty-six Pounds in Weight but 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 of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

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

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

Company may take increased Charges by Agreement.

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

Passengers Luggage.

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

LVI. It

Power to the Belfast and Ballymena Railway Company to use Portion of Railway, and Station connected therewith.

LVI. It shall be lawful for the *Belfast and Ballymena* Railway Company to use, with their Engines and Carriages of every Description, so much of the Railway by this Act authorized to be made as will be situate between the Junction between the Railway and the *Belfast and Ballymena* Railway at or near the said Bridge over the *Woodburn* River and an intended Station of the Company near the North Gate of the Town of *Carrickfergus*, including the said intended Station, and the Booking Offices, Sidings, Watering Places, and other Works and Conveniences connected therewith; and the Terms upon which, and the Tolls, Rents, or Payments subject to which, the said Portion of Railway and the said intended Station, and the Works and Conveniences connected therewith, are to be used by the *Belfast and Ballymena* Railway Company, shall be such as shall be agreed upon between the Company and the *Belfast and Ballymena* Railway Company, or as in default of Agreement shall be settled by an Arbitrator to be appointed by the Board of Trade.

Power to enter into Traffic Agreements with the Belfast and Ballymena Railway Company.

LVII. It shall be lawful for the Company and the *Belfast and Ballymena* Railway Company from Time to Time to enter into and make such Agreements as shall be deemed expedient by and between the said Companies for and with reference to the Interchange and forwarding of Traffic passing to or from the Railway of either Company, and also with reference to the Rates, Tolls, or Charges to be charged by or between the said Companies or either of them for or in respect of any Traffic, and the Division and Apportionment between the said Companies of such Rates, Tolls, and Charges, and such Contracts and Agreements from Time to Time to alter and vary as Occasion may require, and also for all or any of the Purposes aforesaid to make and execute all such Deeds, Contracts, Instruments, and Assurances as may be deemed requisite or expedient for giving to the Matters and Premises aforesaid full Effect.

Power to enter into Working Agreements.

LVIII. It shall be lawful for the Company and the *Belfast and Ballymena* Railway Company from Time to Time to enter into and make Agreements for and with reference to the working of the Traffic upon the Railway by this Act authorized, or any Part thereof, with the Engines and Carriages of the *Belfast and Ballymena* Railway Company.

During the Continuance of any such Contract the Railways of the Company and the Belfast and Ballymena Company to be considered as One Line.

LIX. Provided always, That during the Continuance of any Contract for working the Traffic upon the Railway by this Act authorized with the Engines and Carriages of the *Belfast and Ballymena* Railway Company the Railway and the Railway of the *Belfast and Ballymena* Railway Company shall, for the Purpose of calculating the Tolls payable thereon, be deemed One continuous Line of Railway, and that during the Continuance of any such Contract the Provisions of this Act with reference to Tolls and Charges shall be read and construed as if the Name of the *Belfast and Ballymena* Railway Company had been in every Instance written or printed instead of the Words "the Company."

LX. Pro-

Duration of the Agreement, and the same to be approved by Board of Trade.

Agreement not to affect Persons not Parties thereto.

LX. Provided always, That any such Agreement as aforesaid shall not be for more than Ten Years, and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the said Companies, Parties thereto, shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into: Provided also, that the said Board shall not approve any such Agreement as aforesaid without being satisfied that the same has been duly assented to by Shareholders of the Companies, Parties thereto, respectively, in Special Meeting assembled for that Purpose, and holding at least Three Fifths of the paid-up Capital of the Company, represented at such Meeting personally or by Proxy, such Shareholders being qualified to vote thereat in right of such Capital.

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

Public Notice to be given of the Intention to enter into Agreement.

LXI. At the Expiration of any such Agreement as aforesaid the said Companies, Parties thereto, with such respective Consent as aforesaid in Special Meeting of the Shareholders of such Companies respectively, and subject to the Approval of the Board of Trade, may enter into a further Agreement for all or any of the Purposes aforesaid: Provided that before such Companies shall enter into such further Agreement as aforesaid they shall give Notice of their Intention to enter into such Agreement by Advertisement in a Form to be approved by the Board of Trade inserted once in each of Two successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway or Railways to which such proposed Agreement relates is situate, and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved by the Board of Trade: Provided always, that no such Contract or Agreement shall have any Operation or Effect unless and until the same shall have been submitted to and approved by Shareholders of the Companies, Parties thereto, respectively, in Special Meeting assembled for that Purpose, and holding at least Three Fifths of the paid-up Capital of the Company, represented at such Meeting personally or by Proxy, such Shareholders being qualified to vote thereat in right of such Capital; and every such Meeting shall be convened by Advertisements inserted for Two successive Weeks in a Morning Newspaper published in *Dublin*, and in some Newspaper of the County in which the principal Office of each Company which may be Party to such Agreement may be situate.

Power to convert borrowed Money into Debenture Stock.

LXII. The Company from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at any General Meeting of the Company convened with due Notice of that Object, may resolve that any Portion of the borrowed Money of the Company due on any Mortgage, Debenture, or other Security for which, or for the Interest whereof, the Company are for the Time being liable, not exceeding an Amount specified in the Resolution, may be converted into Shares or Stock of the Company of like Amount, either by Agreement with the Holders of such Mortgages or Bonds respectively before the same respectively become due, or by paying off the same respectively when due, and issuing such Shares or Stock as aforesaid to a corresponding Amount; and the Shares or Stock so created shall be called "*Carrickfergus and Larne* Railway Debenture Shares or Stock;" and the said Company may attach to such Debenture Shares or Stock a fixed and perpetual redeemable or irredeemable yearly Dividend or Interest not exceeding Four Pounds for every One hundred Pounds, payable half-yearly by equal Payments; and the Directors from Time to Time may carry into effect such Resolution by the Creation and Issue of so many Shares or so much Stock as may from Time to Time be necessary for that Purpose; and the Shares or Stock so created shall be a Charge on the Tolls and Undertaking, and Lands, Tenements, and Hereditaments of the Company, but shall be Personal Estate to all Intents and Purposes; and such Dividend or Interest shall for ever have Prior ty of Payment over all other Dividends on all other Shares or Stock of the Company, whether ordinary or preferential or guaranteed: Provided that nothing herein contained shall prejudice the Rights of the Holders of Mortgages or Bonds of the Company: Provided also, that after the Conversion of any such Debt of the said Company into such Debenture Shares or Stock as aforesaid all the borrowing Powers of the said Company with reference to the said Debt so converted shall cease and be extinguished; and the Monies raised by the Creation of such Debenture Stock or Shares shall be applied for the Purpose of paying off so much of the then existing Debt of the Company, and for no other Purpose whatsoever.

Separate Account of Debenture Shares.

LXIII. In order that the due Application according to this Act of the Monies raised by means of such Debentures Shares or Stock may appear, the Company shall keep accurate separate Accounts of the Amount of Monies so raised, and of Application of such Monies.

8 & 9 Vict. c. 16. to apply to the Debenture Stock.

LXIV. The Clauses and Provisions of the "Companies Clauses Consolidation Act, 1845," incorporated with this Act, with respect to the Distribution of the Capital of the Company into Shares, and with respect to the Transfer and Transmission of Shares, and with respect to the Payment of the Subscriptions, and the Means of enforcing the Payment of Calls, and with respect to the Forfeiture of Shares for the Nonpayment of Calls, and with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Consolidation

Consolidation of Shares into Stock, shall apply to the Debenture Shares or Stock, and to the Holders thereof.

Deposit Money not to be repaid until Line opened, or Half the Capital paid up and pended, except on Execution of Bond, &c.

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

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

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

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

Saving Rights of the Crown.

LXVII. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the said Company to take, use, or in any Manner interfere with any Foreshore, or other Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereto, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose, (which Consent such Commissioners are hereby respectively authorized to give,) or shall take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exercisable by the Queen's Majesty, Her Heirs or Successors.

Expenses of Act.

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

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