CHAPTER xli.

An Act to enable the Great Northern Railway Company (Ireland) to purchase the Newry Warrenpoint and Rostrevor Railway and to confer further powers on the said Company and on other companies in relation to the undertaking of that Company; and for other purposes. A.D. 1886.

[4th June 1886.]

WHEREAS by the Newry Warrenpoint and Rostrevor Railway Act 1846 the Newry Warrenpoint and Rostrevor Railway Company (in this Act called "the Newry Company") were incorporated and they have under the powers of that and subsequent Acts constructed a railway from Newry to Warrenpoint in this Act referred to as "the Newry Undertaking": 9 & 10 Vict. c. ccxlv.

And whereas the said railway communicates at Newry with the railway of the Great Northern Railway Company (Ireland) (in this Act referred to as "the Company") and it is expedient that the Company be enabled to acquire the Newry Undertaking:

And whereas it is expedient that the Company be empowered to widen their railway at Gallows Hill in the parish of Dundalk and (when they have acquired the Newry Undertaking) to remove two bridges or viaducts in the townland of Greenan in the parish of Newry and to replace them by embankment:

And whereas by the Castlederg and Victoria Bridge Tramway Act 1883 the Castlederg and Victoria Bridge Tramway Company (in this Act called "the Castlederg Company") were incorporated and authorised to raise a share capital of twenty thousand pounds in two thousand shares of ten pounds each of which one thousand three hundred were to be A or guaranteed shares and seven hundred were to be B or ordinary shares and to make various tramways in the county of Tyrone which would communicate with the railway of the Company and the Company have subscribed out of their capital funds towards the said Castlederg Undertaking the sum of two 46 & 47 Vict. c. cv.

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thousand pounds and there are standing registered in the name of the Company two hundred of the said B shares and it is expedient that such subscriptions should be confirmed and that the Company be authorised to hold the said two hundred shares:

And whereas by the Armagh and Keady Light Railway Order 1885 the Armagh and Keady Light Railway Company (Limited) (in this Act called "the Armagh Company") were authorised to make a light railway (in this Act called "the Armagh Railway") from the railway of the Company at or near Armagh to the townland of Dunlarge in the parish of Keady in the county of Armagh and it is expedient that the Company be authorised to enter into agreements with the Armagh Company and to contribute towards and hold shares in the capital of that Company:

And whereas it is expedient that the Company be authorised to raise additional capital:

48 & 49 Vict. c. clxxvii.

And whereas under the provisions of the Belfast Central Railway (Sale) Act 1885 (in this Act referred to as "the Act of 1885") the Company have acquired the undertaking of the Belfast Central Railway Company (in this Act called "the Central Undertaking"):

And whereas by an agreement dated the twenty-first day of May one thousand eight hundred and eighty-five and made between the Company of the first part the Belfast and Northern Counties Railway Company (in this Act called "the Belfast Company") of the second part and the Carrickfergus and Larne Railway Company of the third part set forth in the Third Schedule to and confirmed by the Act of 1885 the Company granted to the Belfast Company and the Carrickfergus Company respectively certain running powers over the Central Undertaking in consideration of the payment by the Belfast Company to the Company of the annual sum of one thousand six hundred pounds:

And whereas by an agreement also dated the twenty-first day of May one thousand eight hundred and eighty-five and made between the Company of the one part and the Belfast and County Down Railway Company (in this Act called "the County "Down Company") of the other part and set forth in the Fourth Schedule to and confirmed by the Act of 1885 the Company granted to the County Down Company certain running powers over the Central Undertaking in consideration of the annual payment to the Company of five hundred pounds:

And whereas the Belfast Company and the County Down Company respectively are desirous that the provisions herein-after contained should be made for the redemption of the said annual rents of one thousand six hundred pounds and five hundred pounds

by the payment of capital sums and it is expedient that such provisions be made accordingly:

And whereas it is expedient that the other provisions herein-after contained should be made:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

And whereas plans and sections describing the lines situations and levels of the works authorised by this Act and the lands in or through which the same are intended to be made and books of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands were duly deposited with the clerks of the peace for the counties of Down and Louth and are herein-after respectively referred to as the deposited plans sections and books of reference:

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 Great Northern Railway (Ireland) Act 1886.

Incorporation of General Acts.

2. The following Acts and parts of Acts are (except where the same are expressly varied by this Act) incorporated with and form part of this Act namely:

The Lands Clauses Consolidation Act 1845 and the Lands Clauses Consolidation Acts Amendment Act 1860 as amended by the Lands Clauses (Umpire) Act 1883;

The Railways Clauses Consolidation Act 1845;

The Railways Acts (Ireland) 1851 1860 and 1864 the Railways Traverse Act; and

Part I. (construction of a railway) Part III. (working agreements) and Part V. (amalgamation) of the Railways Clauses Act 1863.

Extending certain provisions of the Companies Clauses Consolidation Act 1845.

3. Subject to the provisions of this Act all the provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

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The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The conversion of borrowed money into capital;

The consolidation of shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

are except where they are expressly varied by this Act or are inconsistent with anything contained in the Great Northern Railway (Ireland) Act 1877 incorporated with and form part of this Act; and

Parts I. II. and III. of the Companies Clauses Act 1863 relating respectively to the cancellation and surrender of shares to additional capital and to debenture stock as amended by any subsequent Act;

shall be applicable to the capital and moneys hereby authorised to be raised by shares or stock or mortgage and to the proprietors thereof.

Interpretation.

4. In this Act:

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

"The Newry Undertaking" means and includes the whole of the railways and works stations signals sidings lines lands (including surplus lands) houses buildings works engines carriages waggons and other rolling stock (the particulars of which rolling stock are set forth in Schedule A. to this Act) tools plant and also all stores and materials which at the date of vesting shall belong to the Newry Company and the rights powers privileges and interests of the Newry Company in over or relating to their own or to any other company's undertakings.

In the Railways Clauses Act 1863 for the purposes of this Act:

"The special Act" and "the amalgamating Act" respectively mean this Act;

"The dissolved company" means the Newry Company;

"The amalgamated company" means the Company;

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As to deposits of plans with clerks of unions.

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

Purchase of Newry Undertaking.

6. The Company shall purchase and the Newry Company shall sell and transfer to the Company the Newry Undertaking freed and discharged from all debts charges liens contracts obligations and pecuniary or other liabilities of the Newry Company other than and except the several leases and agreements specified in Schedule B to this Act and from all claims of debenture preference guaranteed ordinary or other stock or shareholders of the Newry Company.

Consideration for sale and transfer.

7. The consideration for the said sale and transfer of the Newry Undertaking shall be the payment by the Company of the sum of fifty-four thousand pounds in manner herein-after provided.

Newry Company to produce good title free from all charges and liens.

8. Prior to the payment by the Company of such purchase money the Newry Company shall deduce and vouch to the satisfaction of the Company a title in fee simple to the Newry Undertaking save the portion thereof included in a certain agreement dated the eighth day of June one thousand eight hundred and fifty-seven and relative lease dated the twenty-third day of October one thousand eight hundred and sixty made between the Newry Company of the one part and Roger Hall of the other part which is held for the residue of a term of nine hundred and ninety-nine years subject to the yearly rent of five pounds and as to the said last-mentioned premises a title for the residue of the said term of nine hundred and ninety-nine years. For the purpose of this section the production of conveyances to the Newry Company purporting to convey to them lands in fee shall unless the contrary appear on the face of any deed be accepted as conclusive evidence of such title antecedent to such deeds of conveyance and the Newry Company shall not be required to deduce such antecedent title.

At the time of the payment of the purchase money the Newry Company shall deliver to the Company full possession of the Newry Undertaking and also all deeds muniments of title including all maps awards agreements instruments and documents relating to the lands comprised in the Newry Undertaking.

Purchase money to be paid into Bank of Ireland.

9. The Company shall within three calendar months next after the date upon which this Act receives the Royal Assent pay the said sum of fifty-four thousand pounds into the Bank of Ireland to the

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credit of the Accountant-General for and on behalf of the Supreme Court of Judicature in Ireland to an account entitled "In the matter "of the Newry Warrenpoint and Rostrevor Railway Sale" and such purchase money shall be deemed to be assets of the Newry Company and from and after such payment into Court the Company shall be relieved from any responsibility or liability with reference to such purchase money and the Newry Undertaking shall thereupon absolutely vest in the Company freed and discharged from all incumbrances obligations debts and liabilities affecting the Newry Company or the said undertaking.

As to receipts of Newry Undertaking.

10. The Newry Company shall be entitled to all receipts arising from the Newry Undertaking and shall pay all outgoings in respect thereof up to the date of vesting and the Company shall be entitled to such receipts and liable to such outgoings from and after the said date.

Newry Company to be wound up under the Companies Acts.

11. For the purpose of the Companies Act 1862 and notwithstanding any limitation or exception contained in section 199 of that Act the Newry Company shall be deemed to be an unregistered company whose principal place of business is situate in Ireland and forthwith after the date of vesting the Newry Company shall (subject to the provisions next herein-after contained for the distribution of the said purchase money) be wound up under the Companies Acts 1862 and 1867 and the Companies Act 1883 and the provisions of those Acts are hereby made applicable in that behalf and from and after the date of the dissolution order to be made by the Court under the above-mentioned Acts the Newry Company shall be by force of such order dissolved and shall wholly cease to exist and all minute books books of accounts vouchers instruments and books relating to the Newry Undertaking at the date of the dissolution order shall be delivered to and be thenceforth preserved by the Company.

Application of purchase money.

12. The purchase money for the Newry Undertaking shall be applied to the following purposes and in the following order:—

(*a.*) To the payment of all unpaid purchase money (if any) for land taken by the Newry Company under the powers of their Acts together with any interest that may be due thereon and the costs of the vendors;

(*b.*) To the payment of the Newry Company's costs charges and expenses of and incident to the said sale and purchase and of this Act and of winding up the affairs of that Company;

(*c.*) To the payment of the mortgage debt of the Newry Company without interest amounting to the sum of thirty-nine thousand pounds;

(*d.*) To the payment of the current debts due by the Newry Company;

(*e.*) To the payment of retiring allowances and compensation not exceeding one thousand two hundred pounds to and to be appropriated by the directors of the Newry Company among such of the officers and servants of that Company and in such proportions as the said directors may determine;

(*f.*) To the payment to the holders of six thousand four hundred and fifty preference cumulative six per centum shares of two pounds each at the rate of twelve shillings and sixpence per share amounting to four thousand and thirty-one pounds five shillings;

(*g.*) To the payment to the holders of three thousand five hundred and fifty five and a half per centum preference shares of two pounds each at the rate of seven shillings and sixpence per share amounting to one thousand three hundred and thirty-one pounds five shillings;

(*h.*) To the payment of the balance to the holders of the five thousand ordinary shares of twenty pounds each.

Transfer of Newry Undertaking to be by deed.

13. The transfer of the Newry Undertaking shall be sufficiently and conclusively evidenced by a deed of conveyance under the seal of the Newry Company duly stamped and wherein the full consideration for the deed shall be fully and truly set forth and if the Company shall not within three months from the date of the completion of the sale and transfer produce to the Commissioners of Inland Revenue the deed of conveyance duly stamped as aforesaid the ad valorem stamp duty with interest thereon at the rate of five pounds per centum per annum from the date of the completion of the sale or transfer to the day of payment shall be recoverable from the Company with full costs of suit and all costs and charges attending the same.

Powers of Newry Company to be exercised by Company.

14. From and after the date of vesting of the Newry Undertaking in the Company all the rights powers and privileges of the Newry Company and their directors officers and servants which by virtue of any of the Acts relating directly or indirectly to the Newry Company might be exercised and enjoyed by them respectively shall be exercised and enjoyed by the Company in the same manner and subject to the same regulations restrictions obligations penalties and immunities as and subject to which the same might have been exercised or enjoyed in accordance with the said Acts by the Newry Company and their directors officers and servants.

Power to Company to execute works.

15. Subject to the provisions of this Act the Company may in the lines shown on the deposited plans and according to the levels

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shown on the deposited sections construct and maintain the following works and do the following things and may enter upon take and use such of the lands shown on the deposited plans and described in the deposited books of reference as are requisite for those purposes:

The Company may widen their railway and lay additional lines of rails underneath and on both sides of the bridge carrying the road from Dundalk to Carrickmacross at Gallows Hill Dundalk over their railway and may for that purpose reconstruct that bridge of greater length with all necessary abutments walls pillars arches approaches and other conveniences. Provided that the Company shall not in altering the said bridge increase the gradient of the said road;

They may as soon as they have acquired the Newry Undertaking remove the two wooden bridges or viaducts carrying the Newry railway over the two tidal openings situate in the townland of Greenan in the parish of Newry in the county of Down at the respective distances of one mile seven furlongs and five chains and two miles four furlongs and half a chain from the centre of the platform east of the eastern termination of the Newry passenger station on that railway and may replace the said bridges by an embankment commencing in each case at the western and terminating at the eastern extremities of the said bridges with all necessary culverts sluices and valves to admit of the passage therethrough of the land water to the Newry River and to prevent the admission of water from the said river.

Period for compulsory purchase of lands.

16. 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.

As to taking houses of labouring class.

17. (1.) The Company shall not under the powers of this Act purchase or acquire in any urban sanitary district as defined by the Public Health (Ireland) Act 1878 ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

(2.) For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Extending time for sale of superfluous lands.

18. The Company may notwithstanding anything to the contrary contained in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company retain and hold any lands acquired or held by them in the parishes specified in Schedule C to this Act and which have not yet been applied to the purposes for which they were acquired for the periods following (that is to say):

As regards lands situate near to or adjoining any railway or station of the Company or which they may be of opinion that they may require for the purposes of stations sidings or other accommodation or conveniences

For the period of ten years from the passing of this Act; and

As regards the other of the said lands

For the period of two years from the passing of this Act.

Power to enter into agreements as to the working &c. of the Armagh Railway.

19. The Company on the one hand and the Armagh Company on the other hand may subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Regulation of Railways Act 1873 from time to time enter into and fulfil and alter and vary agreements with respect to the following matters or any of them (that is to say):

The working use management and maintenance of the Armagh Railway;

The supply of rolling stock and machinery necessary for the purposes of any agreement for the working and use by the Company of the Armagh Railway and of officers and servants for the conduct of the traffic of the Armagh Railway;

The payments to be made and the conditions to be performed with respect to such working use management and maintenance;

The interchange accommodation and conveyance of traffic coming from or destined for the respective undertakings of the contracting companies and the division and appropriation of the revenue arising from that traffic; and

The appointment of a joint committee or joint committees for carrying into effect any such agreement.

Short distance charge when railways are worked by one and the same company.

20. During the continuance of any such agreement to be entered into under the provisions of this Act for the working or use of the Armagh Railway the railways of the contracting companies shall for the purposes of short distance tolls and charges be considered as one railway and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the Armagh Railway and partly on the railway or any part of the railway of the Company for a less distance than four miles tolls and charges may only be charged as for four miles and in respect of passengers for every mile or fraction of a mile beyond four miles tolls and charges as for one mile only

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and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond four miles tolls and charges as for a quarter of a mile only and no other short distance charge shall be made for the conveyance of passengers animals or goods partly on the Armagh Railway and partly on the railway or any part of the railway of the Company as aforesaid.

Running powers to Armagh Company into Armagh station.

21. The Company on the one hand and the Armagh Company on the other hand may (subject to the provisions of Part III. of the Railways Clauses Act 1863) enter into agreements for the use by the Armagh Company and all companies and persons lawfully using the Armagh Railway with their engines and carriages of every description and with their clerks officers and servants and for the purposes of traffic of all kinds of so much of the railway of the Company as lies between the point of junction with that railway of the Armagh Railway and the Armagh Station of the Company including that station.

Byelaws to be observed.

22. The Armagh Company in exercising the said running powers under any such agreement shall at all times observe the byelaws for the time being in force on the railway of the Company so far as such byelaws are applicable to the Armagh Company And if the Armagh Company violate this enactment they shall for every such violation pay to the Company fifty pounds by way of penalty.

Short distance charge when railways are used by any company other than the owning company.

23. The provisions of the foregoing section the marginal note whereof is "short distance charge when railways are worked by one "and the same company" shall extend and apply mutatis mutandis to all cases in which any company under the powers of this Act runs over and uses any portion of the undertaking of another company and to and in respect of the conveyance of traffic and of passengers partly on the railway of the Company and partly on the Newry Railway when vested in the Company.

Confirmation of subscription by Company to Castlederg undertaking.

24. The contribution of two thousand pounds made by the Company to the capital of the Castlederg Company is hereby confirmed and the Company may hold the said two hundred B shares in that capital now registered in their names accordingly.

Power to Company to contribute to undertaking of the Armagh Company.

25. The Company with the authority of three fourths of the votes of their proprietors present in person or by proxy at a general meeting of the Company specially convened for the purpose may in their own name from time to time subscribe for and take shares in or by lending money on mortgage or subscribing for or taking debenture stock contribute funds towards the undertaking of the Armagh Company to any amount not exceeding the sum of four thousand pounds.

Company not to sell shares in Castlederg or Armagh undertakings.

26. The Company shall not sell transfer or dispose of any shares mortgages debenture stock or other securities held by them in the undertakings of the Castlederg and Armagh companies or either of them.

Privileges &c. of Company as shareholders of Castlederg and Armagh companies.

27. The Company shall in respect of any shares in either of the said companies held by them in virtue of any such subscription have all the powers rights and privileges (except in regard to voting at general meetings which shall be as herein-after provided) and be subject to all the obligations and liabilities of proprietors of shares in that company.

Company may appoint proxy to attend meetings of said companies.

28. (1.) The Company in respect of their shares in the Castlederg Company and in respect of their shares in the Armagh Company when they have become shareholders in that company may by writing under their common seal from time to time appoint some person to attend any meeting of each such company and such person shall have all the privileges and powers (including the right of voting) attaching to other shareholders at such meetings.

(2.) Every such appointment by the Company of any person to vote on their behalf shall be delivered to the respective company and kept with their records and shall be at all reasonable times open to the inspection and transcription of all parties interested and every such instrument shall as between the Company and the respective company as aforesaid be sufficient evidence of the facts therein stated.

Power to Belfast Company and County Down Company to redeem the annual rents payable to the Company.

29. The Belfast Company may on giving to the Company six months notice in writing in that behalf terminating on any gale day redeem the annual rent of one thousand six hundred pounds payable to the Company under the provisions of the recited agreement dated the twenty-first day of May one thousand eight hundred and eighty-five and set forth in the Third Schedule to and confirmed by the Act of 1885 by one or more capital payments to the Company to be calculated after the rate of twenty-five years purchase of the amount of rent redeemed Provided that no less sum than fifty pounds per annum of such rent shall be redeemed at any one time.

The provisions of this section shall extend and apply mutatis mutandis to and in relation to the annual rent of five hundred pounds payable by the County Down Company to the Company under the provisions of the recited agreement of the twenty-first day of May one thousand eight hundred and eighty-five set forth in the Fourth Schedule to and confirmed by the Act of 1885.

Power to raise additional capital (60,000*l.*).

30. The Company from time to time may for the purposes of this Act and for the general purposes of their undertaking raise by the creation and issue of shares or stock such sums of money as they

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shall think necessary not exceeding sixty thousand pounds exclusive of the moneys which they are or may be authorised to raise by any other Act or Acts of Parliament and the Company may create and issue such shares or stock either wholly or partly as ordinary or wholly or partly as preferential shares or stock as they may think fit.

Shares or stock not to be issued until one-fifth part thereof shall have been paid up.

31. The Company shall not issue any share or stock created under the authority of this Act of less nominal value than ten pounds nor shall any such share or stock vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share or stock shall have been paid in respect thereof.

Power to borrow on mortgage (20,000*l.*).

32. The Company may from time to time borrow on mortgage of their undertaking additional sums not exceeding in the whole twenty thousand pounds in respect of the additional capital of sixty thousand pounds by this Act authorised to be raised Provided that in respect of every thirty thousand pounds of such additional capital issued and accepted and one half whereof shall have been paid up the Company may borrow a sum or sums not exceeding in the whole ten thousand pounds But no part of any of the before-mentioned sums of ten thousand pounds shall be borrowed until shares for so much of the said portion of the additional capital as is to be raised by means of shares are issued and accepted and one half of such capital is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such portion of additional capital have been issued and accepted and that one half of such portion has been paid up and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also if the said capital is raised by shares that such persons or corporations or 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 certificate shall be sufficient evidence thereof.

Former mortgages and bonds to have priority.

33. The mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the time of the passing of this Act shall during the continuance of such mortgages and bonds but subject to the provisions of the Acts under which such mortgages and bonds were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Power to apply corporate funds to purposes of Act.

34. The Company may apply to the purposes of this Act to which capital is properly applicable any of the moneys which they now have in their hands or which they have power to raise by virtue of any Acts relating to the Company and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Debenture stock.

35. The Company may subject to the provisions of Part III. of the Companies Clauses Act 1863 create and issue debenture stock (not exceeding in the whole twenty thousand pounds) bearing interest at a rate not exceeding four per centum per annum but notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

36. All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied for the purposes of this Act and for the general purposes of the Company being in all cases purposes to which capital is properly applicable.

Receipt in case of persons not sui juris.

37. If any money is payable to a holder of shares or stock in the Company being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Saving rights of the Crown in the foreshore.

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

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extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Interest not to be paid on calls paid up.

39. 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

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

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

Provision as to general railway Acts.

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

Costs of Act.

42. 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.

The SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

Three engines one first-class carriage two second-class carriages four third-class carriages three composite carriages twelve goods waggons sixty-three coal waggons and three cattle waggons.

SCHEDULE B.

1. Lease dated twenty-eighth February one thousand eight hundred and seventy-seven between the Newry Warrenpoint and Rostrevor Railway Company and the Warrenpoint and Rostrevor Tramway Company (subject to the right of the Great Northern Railway Company (Ireland) to have same determined by the Newry Company).

2. Agreement made the eighth June one thousand eight hundred and fifty-seven between the Newry Warrenpoint and Rostrevor Railway Company and Roger Hall.

3. Lease dated twenty-third October one thousand eight hundred and sixty from Roger Hall to the Newry Warrenpoint and Rostrevor Railway Company of a wayleave over piers and land in Warrenpoint at the yearly rent of five pounds.

4. Heads of agreement made the first July one thousand eight hundred and seventy-one between the Postmaster-General and the Newry Warrenpoint and Rostrevor Railway Company.

5. Agreement to pay three pounds per annum for Cockle's Point as yearly tenants terminable first May in each year.

6. Agreement to pay four pounds a year rent to the Warrenpoint and Rostrevor Tramway Company for the use of an office belonging to that company as tenants from year to year payable May and November. Tenancy commenced November.

7. Such agreements as are subsisting between the Newry Warrenpoint and Rostrevor Railway Company and the Warrenpoint Sanitary Authority and the Newry Town Commissioners.

8. The agreements made with several persons who pay rents to the Newry Warrenpoint and Rostrevor Railway Company, namely :—

Tenants.	Property.	Residence.	Annual Rent.	Observations.
			£ s. d.	
James McCann -	House and Yard	- - -	16 0 0	Yearly tenant. Payable May and November.
John McHugh -	" "	- - -	10 0 0	Ditto.
R. F. Magennis -	House -	- - -	10 0 0	Ditto.
Edward McKevitt	House and Yard	- - -	6 0 0	Payable monthly.
John Kelly -	Field - -	Warrenpoint	1 10 0	Grazing letting.
Nathaniel Eakin	- - -	Cockle's Point	0 15 0	Grazing letting.
Slopes which will be held to November, about -			12 0 0	

9. Such agreements with the Great Northern Railway Company (Ireland) or with other companies which have been amalgamated therewith as are now subsisting.

A.D. 1886.

SCHEDULE C.

SUPERFLUOUS LANDS.

Parish.	County.
St. Thomas	County of City of Dublin.
Killester Kilbarrack Howth Baldoyle Malahide Lusk Holmpatrick Balbriggan	Dublin.
St. Mary	County of Meath and county of town of Drogheda.
Julianstown Colp Duleek Knockcommon Painstown Navan Ardbracken Donaghpatrick Kells Oldcastle	Meath.
Belfast	Antrim.

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