



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

# VICTORIÆ REGINÆ.

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## *Cap. cxciv.*

An Act for affording increased Facilities for the Transmission of Traffic between the Railways of the *London and North-western Railway Company* and Railways in *Ireland*; and for other Purposes.  
[14th July 1864.]

**W**HEREAS it is expedient that Provision should be made for facilitating the Transmission of Traffic between the Railways of the *London and North-western Railway Company* (in this Act called "the Company") and the Railways of other Railway Companies in *Ireland*, and that the Company should with that view be empowered to enter into Agreements as in this Act provided with the Railway, Steamboat, and other Companies and Persons herein-after mentioned: And whereas such Object 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,)

1. This Act may be cited for all Purposes as "*London and North-western Railway (Traffic Arrangements) Act, 1864.*" Short Title.

2. Part III. (relating to working Agreements) and Part IV (relating to Steam Vessels) of "*The Railways Clauses Act, 1863,*" Certain Parts of  
[*Local.*] 30 I are



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26 & 27 Vict.  
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porated.

are incorporated with this Act, and shall extend to all Arrangements and Agreements made under the Authority of this Act with any Railway or other Company or Companies whatsoever.

Arrange-  
ments with  
Railway  
Companies.

3. The Company on the one hand and the *Irish North-western Railway Company* and the *Dundalk and Greenore Railway Company* on the other hand, and the Company on the one hand and all or any of the following Companies, (that is to say,) the *Newry and Greenore Railway Company*, the *Newry and Armagh Railway Company*, the *Ulster Railway Company*, the *Dublin and Belfast Junction Railway Company*, and the *Dublin and Drogheda Railway Company* on the other hand, may from Time to Time enter into and carry into effect, and from Time to Time alter and vary, Arrangements and Agreements with reference to the Transmission of Traffic upon or over the Railways of the respective Companies Parties thereto, and with reference to the fixing and ascertaining Division and Apportionment between the Companies Parties to any such Arrangement or Agreement of the Tolls, Rates, and Charges arising from such Traffic.

Power to  
make Ar-  
rangements  
with Steam  
Packet Com-  
panies and  
others.

4. The Company and any One or more of the Companies following, (that is to say,) the *Irish North-western Railway Company*, the *Dundalk and Greenore Railway Company*, the *Newry and Greenore Railway Company*, the *Newry and Armagh Railway Company*, the *Ulster Railway Company*, the *Dublin and Belfast Junction Railway Company*, and the *Dublin and Drogheda Railway Company* on the one hand, and the *City of Dublin Steam Packet Company*, the *Dundalk Steam Packet Company (Limited)*, or any other Company or Person, Owners or Proprietors, from Time to Time, of Steam Packets or other Vessels on the other hand, may from Time to Time enter into and carry into effect, and from Time to Time alter and vary, Arrangements or Agreements with reference to the Transmission and Interchange of Traffic between the Ports of *Dublin*, *Kingstown*, *Dundalk*, *Greenore*, and *Carlingford Bay*, or any of them, and the Ports of *Liverpool* and *Holyhead*, or either of them, and with reference to the fixing, ascertaining, Division, and Apportionment between the Parties to such Arrangement or Agreement of the Tolls, Rates, and Charges arising from such Traffic.

As to Publi-  
cation of  
Agreements.

5. Every such Traffic Arrangement shall be carried into effect by a written Agreement, and Notice that the same has been entered into shall be advertised once in the *London*, the *Dublin*, and the *Edinburgh Gazettes*, and also once at least in each of Three successive Weeks in some Newspaper published in the County in which the principal Office of each of the contracting Parties is situate; and the Notice shall state that Copies of the proposed Agreement have been deposited at the Board of Trade, and also at the principal Office of each of the contracting Parties, and may be obtained by all Persons asking



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asking for the same at a Price not exceeding One Shilling for each Copy.

6. The said *Irish* Railway and Steam Packet Companies or any other Company or Person, Owners or Proprietors of Steam Packets or other Vessels respectively, who may have entered into any Agreement authorized by this Act shall, if required, enter into a similar Agreement with any Company or Person not Parties to any such Agreement, and being Owners of a Railway or Canal or Navigation, and being Carriers of Traffic passing between *England* and *Ireland*, and such similar Agreements shall provide that the said contracting Companies shall not demand or receive upon Traffic from or to any *English* Port or Place to or from which such Owners of a Railway or Canal or Navigation carry Traffic any greater Rate or Charge, whether by Sea or Land, than is demanded and received by such contracting Parties severally upon Traffic conveyed by them under the Agreements entered into by them under the Powers of this Act.

Railway and Packet Companies shall, if required, enter into similar Agreements.

7. If Complaint shall be made to the Court of Common Pleas that the Companies or Persons named or referred to in the Third and Fourth Sections of this Act are acting in contravention of this Act, or have not deposited any such Agreement or Copy of an Agreement, or withhold Copies thereof, or refuse to enter into similar Agreements with other Companies or Persons, it shall be lawful for the said Court to take all such Proceedings and to make such Inquiry into the Reasonableness of such Complaint, and to enforce all such Orders against the Company or Person, as if this Enactment had been contained in "The Railway and Canal Traffic Act, 1854."

Means of enforcing Enactments.

8. No such Agreement nor any Modification thereof shall take effect without the Sanction of at least Three Fifths of the Votes of the respective Shareholders of each of the contracting Companies present, in person or by proxy, at an Extraordinary General Meeting of the respective Companies specially convened for the Purpose.

Sanction of Shareholders for Agreements.

9. No Arrangement or Agreement made under this Act shall in any Manner affect any of the Tolls, Rates, or Charges which the Parties thereto are from Time to Time respectively authorized to demand and receive from any Person, or from any other Company; but all Persons and Companies shall, notwithstanding the Arrangement or Agreement, be entitled to the Use and Benefit of the Railways, Steam Packets, or other Vessels of the Parties to such Arrangement or Agreement, on the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges as they would be if such Arrangement or Agreement had not been entered into.

Agreements not to affect Third Parties.

10. Provided always, That nothing in this Act contained, nor any Agreement made under the Authority of this Act, shall (except with their Consent) prejudice or affect the Rights of the *Ulster*

Saving Rights of *Ulster* Railway Company.



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Railway Company under the Twentieth and Twenty-second Sections of "The *Ulster* Railway Act, 1859," nor any of the Rights of the *Ulster* Railway Company under "The *Dundalk and Enniskillen* Railway Act, 1859," as the Holders of the Shares in such Act called "*Clones and Cavan* Extension Special Shares," nor any of the Rights of the *Ulster* Railway Company under the Sixty-fifth, Sixty-sixth, Sixty-seventh, and Ninety-sixth Sections of the said last-mentioned Act of 1859, or under any of the Provisions of "The *Portadown, Dungannon, and Omagh Junction* Railway Act, 1860," or shall in any way derogate from, alter, prejudice, or affect any of the Provisions, Stipulations, or Conditions set forth and provided in a certain Award dated the Twelfth Day of *October* 1861, and made by *Mark Huish*, an Arbitrator appointed by the Board of Trade between the *Ulster* Railway Company and the *Dundalk and Enniskillen* Railway Company, under the Provisions of divers Acts of Parliament recited in such Award.

Saving  
Rights of  
Irish North-  
western  
Railway  
Company.

11. Nothing in this Act contained shall prejudice or affect any of the Rights of the *Irish North-western* Railway Company under any of the Provisions of the "*Irish North-western* Railway Act, 1862," or any of their Acts incorporated therewith or recited therein.

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

12. The Company shall not, out of any Money by any Act authorized to be raised by them, pay or deposit any Sum of Money which by any Standing Order of either House of Parliament from Time to Time 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 make any Railway, or execute any other Undertaking.

Railways,  
&c. not  
exempt  
from Pro-  
visions of  
present and  
future Gene-  
ral Acts.

13. Nothing in this Act contained shall exempt the Railways of any of the Companies in this Act named 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 or Alteration under the Authority of Parliament of the maximum Rates of Fares and Charges, or of the Rates for small Parcels in respect of the Railways of those Companies respectively.

Expenses of  
Act.

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

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