



Railways Clauses Act 1863

1863 CHAPTER 92

PART IV

STEAM VESSELS

30 Provision for securing Equality of Treatment.

Where a Railway Company incorporated either before or after the passing of this Act is authorized by a Special Act hereafter passed and incorporating this Part of this Act, to build, or buy, or hire, and to use, maintain, and work, or to enter into Arrangements for using, maintaining, or working Steam Vessels for the Purpose of carrying on a Communication between any Towns or Ports, and to take Tolls in respect of such Steam Vessels,—then and in every such Case Tolls shall be at all Times charged to all Persons equally, and after the same Rate in respect of Passengers conveyed in a like Vessel passing between the same Places under like Circumstances ; and no Reduction or Advance in the Tolls shall be made in favour of or against any Person using the Steam Vessels in consequence of his having travelled or being about to travel on the whole or any Part of the Company's Railway, or not having travelled or not being about to travel on any Part thereof; or in favour of or against any Person using the Railway in consequence of his having used or being about to use or his not having used or not being about to use the Steam Vessels ; and where an aggregate Sum is charged by the Company for Conveyance of a Passenger by a Steam Vessel and on the Railway, the Ticket shall have the Amount of Toll charged for Conveyance by the Steam Vessel distinguished from the Amount charged for Conveyance on the Railway.

31 Application of Railway and Canal Traffic Act.

The Provisions of the Railway and Canal Traffic Act, 1854, so far as the same are applicable, shall extend to the Steam Vessels, and to the Traffic carried on thereby.

32 Company empowered to make Byelaws for regulating Steam Vessels.

The Company may from Time to Time make Byelaws in relation to Passengers, Animals, and Goods conveyed in or upon the Steam Vessels, and as to

the Embarkation and Disembarkation thereof respectively, and may enforce the Observance of the same by Penalties, in the same Manner as they may with respect to Passengers, Animals, and Goods conveyed upon their Railway; such Byelaws to be sanctioned and authenticated in the same Manner as is required by any Special or other Act with respect to Byelaws relating to the Company's Railway, and being published by being painted on Boards, or printed on Paper and pasted on Boards, and hung up or affixed and continued on some conspicuous Part of every Steam Vessel and Landing-place of the Company ; and such Byelaws, and all Penalties in respect of the Breach thereof, shall be enforced and recovered in the same Manner as is provided with respect to Byelaws relating to the Company's Railway, and to Penalties in respect of the Breach thereof.

33 Recovery of Money by Distress.

All Tolls and Charges for the Steam Vessels due and payable to the Company on any Account whatsoever, and all Costs, Damages, and Expenses by the Special Act directed to be paid in respect of the Steam Vessels, may be levied by Distress; and in *England* or *Ireland* any Justice, and in *Scotland* the Sheriff, may, on Application by or on Behalf of the Company, issue his Warrant accordingly.

The Justice or Sheriff who issues the Warrant of Distress may order that the Costs of the Proceedings for the Recovery of the Toll or Sum shall be paid by the Person liable to pay the Toll or Sum, and the Costs shall be ascertained by the Justice or Sheriff, and shall be included in the Warrant of Distress for the Recovery of the Toll or Sum.

34 Several Names in One Warrant

Any Number of Names and Sums may be included in any Warrant of Distress or Notice obtained or given by the Company for any of the Purposes of this Part of this Act, or of the Provisions of the Special Act with respect to the Steam Vessels, and may be stated either in the Body of the Warrant or Notice, or in a Schedule thereto.

35 Provision for Cesser of Powers as to Steam Vessels, on Report from Board of Trade.

In every Seventh Year after the passing of the Special Act, reckoned from the First Day of January next after its passing the Board of Trade, if they are of opinion that the Interests of the Public are prejudicially affected by the Exercise of the Powers of the Company relative to Steam Vessels, may give to the Company Notice in Writing thereof, and of the Reasons on which that Opinion is founded, and if the Company does not before the Beginning of the then next Session of Parliament make Provision to the Satisfaction of the Board of Trade for Protection of the Interests of the Public, or if the Injury done to the Interests of the Public is in the Opinion of the Board of Trade incapable of being remedied by the Company, then the Board of Trade, at the Beginning of the Session of Parliament then next following, shall report to both Houses of Parliament such their Opinion, and the Reasons on which that Opinion is founded, and at the Expiration of Twelve Calendar Months after the Presentation to the Houses of Parliament of that Report, the Powers of the Company relative to Steam Vessels, or such of them as are specified in the Report, shall, unless Parliament in the meantime otherwise provides, cease to be exercised.