

8 & 9 Vict.
cc. 16. 18.
and 20.
incorporated
with this Act.

Undertakings of a public Nature, called "The Lands Clauses Consolidation Act, 1845," and the other thereof for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways, called "The Railways Clauses Consolidation Act, 1845:" 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, That the Provisions of the said "Companies Clauses Consolidation Act, 1845," of the said "Lands Clauses Consolidation Act, 1845," and of the said "Railways Clauses Consolidation Act, 1845," so far as the same are not modified by or inconsistent with the Provisions herein-after contained, shall be incorporated with and form Part of this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments of every Description, it shall be sufficient to use the Expression, "*The Liverpool, Crosby, and Southport Railway Act, 1847.*"

Subscribers
incorporated.

III. And be it enacted, That *William Blundell, William Nicol, Henry Cleaver Chapman, Hugh Hornby, Robertson Gladstone, and William Potter*, 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 a Railway from the *Liverpool and Bury* Railway near *Liverpool* in the County of *Lancaster*, through *Crosby*, to the Town of *Southport* in the same County, with proper Works and Conveniences connected therewith, according to the Provisions of the said recited Acts and of this Act, and for other the Purposes herein and in the said recited Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Liverpool, Crosby, and Southport Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purpose of the Undertaking, subject to the Restrictions herein and in the said recited Acts contained.

Capital.

IV. And be it enacted, That the Capital of the Company shall be Two hundred and twenty-five thousand Pounds.

Number and
Amount of
Shares.

V. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Eleven thousand two hundred and fifty, and the Amount of each Share shall be Twenty Pounds.

Calls.

VI. And be it enacted, That 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.

VII. And

VII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised : Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

Interest not to be paid on Calls paid up.

VIII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act, or any other Act relating to the said Railway Company, authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Deposits for future Bills not to be paid out of the Company's Capital.

IX. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Seventy-five thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Two hundred and twenty-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been paid up.

Power to borrow Money on Mortgage.

X. And be it enacted, That the first Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly on the First Day of *February*, and the First Day of *August*, or within One Month before or after those Days respectively.

First and other Meetings.

XI. And be it enacted, That the Number of Directors shall be Ten, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

Directors.

XII. And be it enacted, That it shall be lawful for the Company to increase or reduce the Number of Directors, provided that the increased Number do not exceed Twelve, and that the reduced Number be not less than Five.

Power to vary the Numbers of Directors.

XIII. And be it enacted, That *William Blundell, William Nicol, Henry Cleaver Chapman, Hugh Hornby, Robertson Gladstone, William Potter, James Aiken, William Earle, Thomas Stewart Gladstone*, and *George Holt* shall be the First Directors of the Company.

First Directors.

XIV. And

Election of
Directors at
first Ordinary Meeting.

XIV. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Subsequent
Election of
Directors.

XV. And be it enacted, That at the first Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of Directors then retiring from Office agreeably to the Provisions in the said Companies Clauses Consolidation Act contained; and the several Persons elected at any such Meeting, being neither removed or disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said Companies Clauses Consolidation Act.

Quorum
of Directors.

XVI. And be it enacted, That the Quorum of a Meeting of Directors shall be Three.

Committee
of Directors.

XVII. And be it enacted, That the Number of Directors of which the Committees appointed by the Directors shall consist shall be not less than Three nor more than Four; and the Quorum of such Committees shall be Two.

Advertisements.

XVIII. And be it enacted, That the Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be a Newspaper published in the County of *Lancaster*.

Power to
make the
Railway.

XIX. And be it enacted, That, subject to the Provisions of the said recited Acts as extended to this Act, and of this Act, it shall be lawful for the Company to make and maintain a Railway, with all proper Works and Conveniences connected therewith, commencing from and out of the *Liverpool and Bury* Railway in the Parish of *Walton-on-the-Hill* in the County of *Lancaster*, and terminating at or near the Town of *Southport* in the Parish of *North Meols* in the same County.

Railway to
be made ac-
cording to
deposited
Plans.

XX. And whereas Maps or Plans and Sections, showing the Line or Situation and Level of the Railway and Works by this Act authorized to be made, together with a Book of Reference to the said Plans, containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes of the said Railway and Works, have been deposited with the Clerk of the Peace for the County of *Lancaster*; be it enacted, That, subject to the Powers of Deviation contained in the said Railways Clauses Consolidation Act, 1845, and subject to the Provisions herein-after mentioned, the Railway and Works by this Act authorized shall be made in the Line or Course or Lines or Courses and upon the Lands delineated on the said Plans and described in the

said Book of Reference, and according to the Levels defined on the said Sections; and it shall be lawful for the Company to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes aforesaid: Provided always, that nothing in this Act contained shall extend or be deemed or construed to extend to authorize the Company to construct that Portion of Railway delineated upon the said Plans which is represented upon the said Plans as being situate between a Point on the Western Side of the *Leeds and Liverpool* Canal marked B. upon the said Plans and a certain other Point on the Eastern Side of the said Canal marked C. upon the said Plans.

Nothing to authorize the Construction of a certain Portion of Railway.

XXI. And be it enacted, That the Bridge by means of which the Railway is to be carried over the River *Alt* shall be so constructed as to render the same efficient for the Escape of Flood Water in such Manner and to such Extent as shall be approved of by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, such Approval to be signified by Writing under the Hand of the Secretary of the Admiralty.

Bridge over River to be constructed to the Satisfaction of the Admiralty.

XXII. And be it enacted, That if any Bridge to be constructed by the Company across any tidal Water or navigable River, or if any Portion of the Railway which affects any such Water or River, or Access thereto, shall be abandoned by the Company, it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office 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.

If Bridges abandoned, Admiralty may remove same.

XXIII. And be it enacted, That it shall not be lawful for the Company, in the Construction of the Railway through certain Lands numbered respectively 45, 48, 50, and 51, in the Township of *Bootle-cum-Linacre*, upon the said Plans deposited as aforesaid, to deviate to the Westward of the Centre Line of Railway as delineated upon the said Plans to any greater Extent than Ten Yards.

Company not to deviate more than Ten Yards on certain Lands.

XXIV. And whereas the said Railway is intended to be carried over a certain Canal in the said County at or near to certain Places respectively situate in the Townships of *Kirkdale* and *Bootle-cum-Linacre* aforesaid, and it is expedient to provide against Obstructions being occasioned thereby to the free Navigation of the said Canal: Be it therefore enacted, That in carrying the said Railway over the said Canal the said Company hereby incorporated shall and they are hereby required, at their own Expence, to make good and substantial Bridges of Stone, Brick, Wood, or Iron, over the said Canal and the Towing Path thereof, with proper Approaches thereto, and with perpendicular Foundation Walls to such Bridges, the under Side of the Openings at the Keystone of the Arch or Centre of such Bridges not being less than Eleven Feet in Height above the Top-water Level of the said Canal, upon which Bridges the said Railway shall be made; and the Opening or Span of the Arch of the said Bridges

For Protection of the Leeds and Liverpool Canal.

[*Local.*]

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shall

shall not be less than Forty Feet wide, so as to leave a navigable Waterway of not less than Thirty-four Feet in Width, and a Towing Path of Six Feet in Width, with a clear Headway of not less than Six Feet over every Part of the Towing Path, without the Consent of the Engineer of the Company of Proprietors of the said Canal Navigation, and the Space between the Piers of the Arch of such Bridges (except so much thereof as shall be occupied by the Towing Path of such Canal) shall, after the said Bridges shall have been completed, from Time to Time and at all Times thereafter, except during the necessary Repairs of such Bridges, or the Erection of any future Bridges in lieu thereof), be left and preserved an open uninterrupted navigable Waterway.

Navigation
of Leeds and
Liverpool
Canal not
to be ob-
structed.

XXV. And be it enacted, That the said Company hereby incorporated shall and they are hereby required, during the Progress of constructing the said respective Bridges, or of the necessary Repairs thereof, or of the Erection of any future Bridges in lieu thereof, to leave an open uninterrupted navigable Waterway in the said Canal of not less than Twenty Feet in Width during the Time of constructing and putting in the Foundations of the said Bridges, which Time shall not exceed Six Weeks; and in case by reason or in execution of any of the Works by this Act authorized, or by reason of the bad State of Repair of any of the said Bridges, the said Canal shall be so obstructed as that Boats, Barges, and other Vessels navigating or using the same shall not be able to pass along the same, or in case the navigable Waterway herein-before required to be preserved during the Progress of the Works shall at any Time be contracted to a less Width than herein-before prescribed, then the said Company hereby incorporated shall pay to the said Company of Proprietors of the said Canal Navigation, as or by way of ascertained Damages, the Sum of Fifty Pounds for every Day during which such Obstruction or Contraction shall continue on the said Canal, and so in proportion respectively, for any less Time than One Day; and in default of Payment of the said Sum, on Demand being made of the Treasurer or Principal Clerk of the said Company hereby incorporated, any Two or more of Her Majesty's Justices of the Peace for the said County of *Lancaster* are hereby empowered on Application to them made by the said Company of Proprietors of the said Canal Navigation, or by any Person or Persons by them authorized, by Warrant under their Hands and Seals to cause the Amount of such Sum or Sums of Money to be levied by Distress and Sale of any Goods and Chattels vested in the said Company hereby incorporated, by virtue of this Act, and to be paid to the said Company of Proprietors of the said Canal Navigation, or to their Treasurer or Clerk for the Time being, rendering the Overplus, if any, on Demand, after deducting the reasonable Charges for making such Distress and Sale, and the Costs and Expences of hearing and determining the Matters in dispute, to the Treasurer of the said Company hereby incorporated, for the Use of such Company; or otherwise the said Company of Proprietors of the said Canal Navigation may sue for and recover the same, together with the Costs of Suit, against the said Company hereby incorporated, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

XXVI. And be it enacted, That unless and until the said Railway where it crosses the said Canal shall at any Time be abandoned by the said Company hereby incorporated, the said Company shall and they are hereby required, at their own Expence, to maintain the said Bridges respectively in perfect Repair; and if that Part of the said Railway shall at any Time be abandoned by the said Company, the said Company shall, at their own Expence, remove the said Bridges, if they shall be required so to do by the said Company of Proprietors of the Canal Navigation from *Leeds to Liverpool*.

Company to
maintain
Bridges in
good Repair.

XXVII. And be it enacted, That, save as herein-after mentioned, it shall not be lawful for the said Company hereby incorporated to make any Deviation, Diversion, or Extension whatever from the Line, Course, or Direction of the said Railway as delineated and shown on the Plans thereof deposited as aforesaid, by which the said Canal, or the Locks, Towing Paths, Bridges, Lands, Houses, Buildings, Reservoirs, or other Works of the said Company of Proprietors of the said Canal, or any of them, or any Part thereof, shall be taken, used, or damaged for any Purpose whatsoever, without the Consent in Writing under the Common Seal of the Company of Proprietors of the said Canal first had and obtained: Provided nevertheless, that it shall be lawful for the said Company hereby incorporated to make a Deviation or Deviations from the Line, Course, or Direction of the said Railway, as shown on the said Plans, to an Extent not exceeding Fifty Yards, at the Place where the said Railway hereby authorized to be made crosses the said Canal, as shown on the said Plans, in the Township of *Bootle-cum-Linacre*.

Company
not to deviate
so as to in-
jure Canal,
&c.

XXVIII. Provided always, and be it enacted, That the said Company shall not, without the Consent in Writing of *Charles Scarisbrick Esquire*, construct the said Railway across a certain Street or Highway in *Southport* called *East Bank Street* on the Level thereof; and in default of such Consent the said Company shall and they are hereby required to make and construct, and for ever afterwards maintain, a Bridge for the Purpose of carrying the said Street or Highway over the Railway, of the Dimensions and Construction and in the Manner required by the Railway Clauses Consolidation Act, 1845.

As to Con-
struction of
Railway
across East
Bank Street
in Southport.

XXIX. Provided always, and be it enacted, That nothing in this Act contained shall prejudice, affect, lessen, or defeat the Rights or Interests, Powers or Authorities of the present or any future Commissioners appointed or hereafter to be appointed in pursuance of and for putting in execution an Act of Parliament made and passed in the Nineteenth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for draining, improving, and preserving the Low Lands in the Parishes of Altcar, Sefton, Halsall, and Walton-upon-the-Hill in the County Palatine of Lancaster*, nor to affect, prejudice, defeat, or interfere with any thing in that Act contained, but that such present or future Commissioners for the Time being shall at all Times hereafter have, hold, exercise, and enjoy all the same Rights, Powers, Jurisdictions, and Privileges, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as if

Saving
Rights of Alt
Drainage
Commis-
sioners.

19 G.3. c.33.

if this Act had not been passed; and that nothing in this Act contained shall authorize or enable the said Company to construct any Works belonging to their said intended Line of Railway so as to injure, affect, or interfere with any of the Embankments, Drains, Dams, Tunnels, Bridges, Flood Gates, Engines, Locks, Weirs, or other Works made or to be made by the said present or future Commissioners in and about the Execution of the Powers and Provisions of the said Act, save as herein expressly enacted.

Certain
Roads may
be crossed
on the Level.

XXX. And be it enacted, That, subject to the Provisions in the said Railways Clauses Consolidation Act, 1845, it shall be lawful for the said Company to carry the said Railway across and on the Level of the several Roads numbered on the Plans deposited as aforesaid as follows; (that is to say,)

The Roads numbered 11 and 55 respectively in the Township of *Bootle* :

The Road numbered 69 in the Township of *Litherland* :

The Roads numbered 2 and 7 respectively in the Township of *Great Crosby* :

The Roads numbered 11 and 47 respectively in the Township of *Little Crosby* :

The Roads numbered 34, 46, and 112 respectively in the Township of *Formby* :

The Roads numbered 91 and 153 respectively in the Township of *Birkdale* :

The Roads numbered 24 and 63 respectively in the Township of *North Meols*.

Company to
erect a Sta-
tion or Lodge
at Points of
crossing, and
to abide by
Regulations
of Commis-
sioners of
Railways.

XXXI. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level; and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Land for ex-
traordinary
Purposes.

XXXII. And be it enacted, That it shall be lawful for the said Company to purchase, in addition to the Lands herein-before authorized to be purchased by them for constructing the said Railway, any Quantity of Land not exceeding in the whole Thirty Acres, for any of the extraordinary Purposes specified in the said Railways Clauses Consolidation Act, 1845.

XXXIII. And

XXXIII. And be it enacted, That 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 compulsory Purchase of Lands.

XXXIV. And be it enacted, That 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 and the recited Acts granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed. Period for Completion of Works.

XXXV. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the said Railway, not exceeding the following ; (that is to say,) Tolls.

In respect of the Tonnage of all Articles conveyed thereon or upon any Part thereof, and included within the following Classes : Tonnage on Articles of Merchandize.

Class 1.—For all Compost, Dung, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of 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 ; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Halfpenny :

Class 2.—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 Merchandize, *per Ton per Mile* not exceeding One Halfpenny ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny ; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Halfpenny :

Class 3.—For all Sugar, Grain, Corn, Flour, vegetable and all other agricultural Produce, Hides, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding Two-pence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings ; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Halfpenny :

Class 4.—For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters or Things, *per Ton per Mile* not exceeding Three-pence ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny ; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Halfpenny :

Class 5.—And for every Carriage, of whatever Description, (not being a Carriage adapted and used for travelling on a Railway,
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and not weighing more than One Ton,) *per* Mile not exceeding Three-pence; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Two-pence; and if propelled by an Engine belonging to the Company, a further Sum *per* Mile not exceeding Two-pence; and the Sum of One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh, and if conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton; and if propelled by an Engine belonging to the Company, a further Sum not exceeding One Penny Halfpenny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton:

Tolls for
Animals, &c.

In respect of Animals conveyed in Carriages upon the Railway, as follows:

Class 6.—For every Horse, Mule, Ass, or other Beast of Draught or Burden, conveyed in or upon any such Carriage, *per* Mile not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the said Company, an additional Sum *per* Mile not exceeding One Halfpenny:

Class 7.—For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, the Sum of One Penny *per* Mile; and if conveyed in any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny; and if such Carriage be propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

Class 8.—For every Calf, or Pig, Sheep, Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing:

Tolls for
Passengers.

In respect of Passengers conveyed in Carriages upon the Railway as follows:

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Penny.

Regulation
as to the
Tolls.

XXXVI. And be it enacted, That 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 Six Miles the Company may demand Tolls and Charges as for Six Miles:

For

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges as for One 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.

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

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the Company may demand any Sum which they may 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, or single 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 any Sum not exceeding Sixpence *per Ton per Mile* ; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Sixpence ; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Two-pence :

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

XXXVIII. And be it enacted, That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and fifty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof. Passengers Luggage.

XXXIX. And be it enacted, That the maximum Rates of Charge 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 Expenditure incidental to such Conveyance, shall not exceed the following Sums : Maximum Rates of Charges for Passengers.

For every Passenger conveyed in a First-class Carriage, the Sum of Three-pence *per Mile* :

For

For every Passenger conveyed in a Second-class Carriage, the Sum of Two-pence *per Mile* :

For every Passenger conveyed in a Third-class Carriage, forming Part of a mixed Train, the Sum of One Penny *per Mile* :

Maximum
Charges for
Goods and
Animals.

XL. Provided always, and be it enacted, That the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance (except the loading and unloading of Goods, when such Service is performed by the Company), shall not exceed the following ; (that is to say,)

For the Matters herein-before mentioned under Class 1. not exceeding One Penny Halfpenny *per Ton per Mile* :

For the Matters mentioned under Class 2. not exceeding One Penny Halfpenny *per Ton per Mile* :

For the Matters mentioned under Class 3. not exceeding Two-pence Halfpenny *per Ton per Mile* :

For the Matters mentioned under Class 4. not exceeding Three-pence *per Ton per Mile* :

For any Carriage mentioned under Class 5. not weighing more than One Ton, not exceeding Four-pence *per Mile* ; and if weighing more than One Ton, not exceeding Two-pence *per Mile* for every Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton :

For every thing mentioned under Class 6. not exceeding Three-pence *per Mile* :

For every thing mentioned under Class 7. not exceeding Two-pence *per Mile* :

For every thing mentioned under Class 8. not exceeding One Penny *per Mile*.

Restriction
as to Charges
not to apply
to Special
Trains.

XLI. Provided also, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Train that may be required to be run upon the Railway, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers and Goods upon the said Railway.

Company
may take in-
creased
Charges by
Agreement.

XLII. Provided further, and be it enacted, That nothing herein contained shall be held to prevent the said Company from taking any increased Charges, 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 to the Conveyance thereof by Passenger Trains, or by reason of any other special Service performed by the said Company in relation thereto.

As to Com-
munication
with the
Liverpool
and Bury
Railway
near Liver-
pool.

XLIII. And be it enacted, That the Railway hereby authorized shall communicate with the *Liverpool and Bury* Railway at the Point where, according to the Plan deposited as aforesaid, the same appears to communicate therewith by the Junction to the Eastward of the *Leeds and Liverpool* Canal in the Parish of *Walton-on-the-Hill*, and at no other Point, without the previous Consent in Writing of the *Manchester and Leeds* Railway Company under their Common Seal ;
and

and that all Communications between the said Railway and the said *Liverpool and Bury* Railway shall be effected in a substantial and workmanlike Manner by means of connexion Rails and Points laid to the entire Satisfaction of the Engineer for the Time being of the said *Manchester and Leeds* Railway Company.

XLIV. And be it enacted, That the Expence of the Communi- Expence of
cations hereby authorized with the *Liverpool and Bury* Railway, and such Com-
of all the necessary Openings in the Rails thereof, and of all the other munications
Works which may from Time to Time be requisite for effecting, to be borne
altering, amending, repairing, and maintaining such Rails and Points, by the Com-
and of regulating and adjusting the same, shall be borne and paid by pany.
the Company; and that all such Communications, Openings, and
Works shall not only be in the first instance made and done, but
shall also from Time to Time be altered, amended, repaired, and
maintained to the reasonable Satisfaction of the Engineer for the Time
being of the *Manchester and Leeds* Railway Company, and in such
Manner and Form and by such Ways and Means only as shall not in
anywise prejudice or injure the said *Liverpool and Bury* Railway, or
impede, obstruct, or interfere with the free, uninterrupted, and safe
Passage along the same.

XLV. And be it enacted, That, notwithstanding any thing in this Company
Act contained to the contrary, it shall not be lawful for the Company, not to inter-
or for any other Person or Persons, for the Purposes of or in execu- fere with
tion of this Act, in any Manner, either permanently or temporarily, to Property of
enter upon, take, or use any of the Land or Property of the said the Man-
Manchester and Leeds Railway Company, or which they may have chester and
the Right to purchase under any Act of the present or any former Leeds Rail-
Session, or in any Manner to alter, vary, or interfere with the said way Com-
Liverpool and Bury Railway, or any of the Works appertaining pany without
thereto, further or otherwise than is hereby expressly authorized, Consent.
without the Consent in Writing of the said *Manchester and Leeds*
Railway Company in every Instance for that Purpose first had and
obtained.

XLVI. And be it enacted, That nothing in this Act contained Saving
shall prejudice, diminish, alter, or take away any of the Rights, Pri- Rights of the
vileges, Powers, Franchises, or Authorities of or vested in or Manchester
belonging to the *Manchester and Leeds* Railway Company under any and Leeds
Act of the present or any former Session, but all their Rights, Privi- Railway
leges, Powers, Franchises, and Authorities under their several Acts of Company.
Parliament or otherwise are hereby expressly saved and reserved.

XLVII. And be it enacted, That nothing in this Act contained Saving
shall prejudice, diminish, alter, or take away any of the Rights, Powers, Rights of the
Privileges, Franchises, or Authorities of or vested in or belonging to East Lan-
the *East Lancashire* Railway Company under any Act or Acts of cashire Rail-
Parliament relating to the *East Lancashire* Railway, or any Railway way Com-
united or amalgamated therewith, or otherwise howsoever, but all their pany.
Rights, Privileges, Powers, Franchises, and Authorities, under their
several Acts of Parliament or otherwise, are hereby saved and reserved,
except so far as is hereby specially provided to the contrary.

[Local.]

15 I

XLVIII. And

Railway to
be subject
to the Pro-
visions of
1 & 2 Vict.
c. 98.,
3 & 4 Vict.
c. 97.,
5 & 6 Vict.
c. 55.,
7 & 8 Vict.
c. 85., and
9 & 10 Vict.
cc. 57. & 105.

XLVIII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway* ; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways* ; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops* ; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament in relation to Railways* ; and Two other Acts were passed in the last Session of Parliament, respectively intituled *An Act for constituting Commissioners of Railways*, and *An Act for regulating the Gauge of Railways* ; be it enacted, That nothing in this Act contained shall be held to exempt the said Railways or the said Company from the Provisions of the said several Acts respectively.

Railways to
be subject to
Provisions of
any future
general Acts.

XLIX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, 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 authorized by this Act.

Public Act.

L. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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