

The East Lancashire Railway Act, 1851.

8 & 9 Vict.
c. 103.
9 & 10 Vict.
c. 266.

9 & 10 Vict.
c. 302.

9 & 10 Vict.
c. 276.
10 & 11 Vict.
c. 288.

10 & 11 Vict.
c. 289.
12 & 13 Vict.
c. 71.

Capital.

Preference
Shares.

whereby a Company was incorporated by the Name of "The *Blackburn and Preston* Railway Company," and the said Act was amended by "The *Blackburn and Preston* Railway Act, 1845," and by "The *Blackburn and Preston* Railway Act, 1846," and the last-named Company was amalgamated with the *East Lancashire* Railway Company, and their Railways were united into One Undertaking, by "The *East Lancashire* Railway Amalgamation Act, 1846:" And whereas other Acts relating to the Company, and bearing the Name of the Company, have passed; namely, "The *East Lancashire* Deviations and Branch Railways Act, 1846;" "The *East Lancashire* Railway Deviations and *Rawtenstall* Coal Branch Act, 1847," "The *East Lancashire* Railway Act, 1847 (*Preston* Extension);" and "The *East Lancashire* Railway Act, 1849:" And whereas the present Capital of the *East Lancashire* Railway Company consists of Two million eight hundred and ninety-nine thousand three hundred and seventy-five Pounds in Shares, and of Six hundred and eighty-seven thousand eight hundred and forty-six Pounds Eight Shillings and Tenpence which the Company have borrowed on Mortgage or Bond, and Shares representing a Capital of Eighty-five thousand seven hundred and twelve Pounds have either not been issued or have been forfeited for Nonpayment of Calls: And whereas under the Provisions of "The *East Lancashire* Railway Act, 1844," the Company has secured upon Two hundred and eighty-eight thousand three hundred and seventy-five Pounds of its Share Capital a minimum Dividend of Six *per Centum per Annum* in perpetuity, and the Shares representing such Capital are denominated "Preference Quarter Shares;" and the Company has likewise, under the Provisions of "The *East Lancashire* Railway Act, 1849," secured upon Three hundred and four thousand Pounds, other Part of its Share Capital, a Preference Dividend of Six *per Centum* until the Thirtieth Day of *June* One thousand eight hundred and fifty-five, and from thence a Five *per Centum* Dividend in perpetuity, with the Option to the Company of redeeming the said last-named Shares which are called "Preference Fifth Shares," in the said Month of *June* One thousand eight hundred and fifty-five, and it is expedient that the Company should be authorized to raise the requisite Amount of Capital to enable it to exercise such Option; and the said Preference Quarter Shares and Preference Fifth Shares are the only preference or guaranteed Shares in the Company: And whereas the whole of the Capital which the Company are authorized to raise by Shares has been subscribed for, and One Half thereof has been paid up: And whereas the Company is authorized to continue on Mortgage or Bond the Sum of Five hundred and forty thousand nine hundred and twenty-five Pounds only, and the net Profits of the Company for the Half Year ending on the Thirty-first Day of *December* One thousand eight hundred and fifty exceeded Twenty-one thousand Pounds, after paying the Interest on the Mortgage and Bond Debt

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Debt of the Company, and also the Dividends so guaranteed as aforesaid on the said "Preference Quarter Shares" and "Preference Fifth Shares," and it is expedient that the Company should be enabled to borrow a Sum equal to One Third of the Share Capital subscribed for the Purposes of their Undertaking: And whereas it is also expedient that certain of the Provisions of the Acts relating to the *East Lancashire* Railway Company should be amended, and that the Tolls, Rates, and Charges which the Company are authorized to receive should be increased: But inasmuch as these Things cannot be done without the Authority of Parliament, may it 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:

I. That it shall be lawful for the Company to raise, by creating new Shares, in addition to the Sums of Money which they are already authorized to raise, any further Sum of Money not exceeding in the whole the Sum of Three hundred and four thousand Pounds, which shall be applied exclusively to redeeming the said "Preference Fifth Shares."

Capital of
Company.

II. That it shall be lawful for the Company, by the Vote of any Ordinary or Extraordinary Meeting thereof, to re-issue, either with the same or a new Denomination, the Shares already forfeited or which may hereafter be forfeited for Nonpayment of Calls, and to issue such of their Shares as have not already been issued, when and as the Company may see fit; and the Capital so to be raised by the Creation of new Shares as aforesaid, and by the Re-issue of forfeited and unissued Shares, shall be divided into Shares of such Amount, and subject to such Conditions, and with such Preference of Dividend (if any), as may be determined by the Vote of not fewer than Three Fifths of the Proprietors present in Person or by Proxy at any Ordinary or Extraordinary Meeting of the Company, and shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeitures of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital of the Company, except as to the Times of making Calls thereon, and the Amount of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they think fit: Provided always, that Five Pounds *per* Share shall be the greatest Amount of any One Call which shall be made in respect of such new Shares, and that Three Months at the least shall be the Interval between successive Calls.

New Shares
and re-issued
Shares to be
considered
same as
original
Shares.

III. Pro-

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Limiting
Preference
Dividend.

III. Provided also, That it shall not be lawful for the Company to grant upon the Shares so authorized to be issued by them as aforesaid for the Purpose of redeeming the "Preference Fifth Shares" a Preference of Dividend exceeding Four and a Half *per Centum*, or upon the forfeited or unissued Shares so authorized to be re-issued or issued as aforesaid any Preference of Dividend exceeding Six *per Centum*; and provided also, that all Monies to be received on account of such forfeited or re-issued Shares shall be applied to the same Purposes to which the said forfeited or unissued Shares were applicable, and to those Purposes only.

Existing
Preference
Shares con-
firmed.

IV. That nothing in this Act contained shall prejudice or take away the minimum Dividend of Six *per Cent.* already secured upon the Shares in the said Company denominated "The Preference Quarter Shares," created under the Provisions of "The *East Lancashire Railway Act, 1844*," or subject thereto the Preference Dividend secured under the Provisions of "The *East Lancashire Railway Act, 1849*," to the Shares in the said Company called "Preference Fifth Shares," or any other of the Rights, Privileges, and Advantages appertaining to the said "Preference Quarter Shares" or the said "Preference Fifth Shares" respectively, but such minimum and preference Dividends respectively shall continue to be paid according to the Terms and Conditions on which the said Shares were respectively created and issued.

As to Votes
of Proprie-
tors of new
Shares.

V. That the Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if they had been possessed of original Shares in the *East Lancashire Railway Company* of the same nominal Amount.

Power to
borrow on
Mortgage.

VI. That it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by any Order or Orders of any Ordinary or Extraordinary Meeting of the Company, provided that such Sums of Money do not exceed in the whole Four hundred and twenty-five thousand five hundred and thirty-three Pounds, in addition to the Sum of Five hundred and forty thousand nine hundred and twenty-five Pounds which they are authorized to continue as aforesaid on Mortgage and Bond: Provided always, that nothing herein contained shall authorize the Company to raise by Loan or Mortgage a larger Sum than One Third of the Capital which the Company are authorized to raise by Shares.

Provisions of
8 & 9 Vict.
c. 16. ex-
tended to
this Act.

VII. That all the Powers and Provisions contained in the "Companies Clauses Consolidation Act, 1845," with reference to the borrowing
and

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and reborrowing of Money, and the Conversion of borrowed Money into Capital, shall extend and apply to the Monies to be borrowed for or under the Authority of this Act or any other Act relating to the Company; and it shall be lawful for the Company, by the Vote of Three Fifths of the Proprietors present, in Person or by Proxy, at any Ordinary or Extraordinary Meeting of the Company, to attach to the Shares created for the Conversion of borrowed Money into Capital a Preference or Priority of Dividend not exceeding Seven Pounds *per Centum*: Provided always, that no such Preference shall interfere with or prejudice the Rights of any existing Class of Shareholders; and provided also, that all the Sums of Money hereby authorized to be borrowed shall be applicable only to the Objects and Purposes authorized by the Acts relating to the Company.

VIII. Provided always, That nothing herein-before contained shall prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock which shall have been granted by the Company in pursuance of or which may have been confirmed by any previous Act, or which may otherwise be lawfully subsisting.

Saving existing Preference Shares.

IX. Provided also, That all Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance of such Instruments have Priority over any Mortgage or Bond to be created by virtue of this Act.

Former Mortgages and Bonds to have Priority.

X. That the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Consolidation of the Shares into Stock, shall extend and apply to the *East Lancashire* Railway Company and the Shares thereof: Provided always, that such Consolidation shall not deprive the Holders of any particular Class of Shares of any peculiar Advantages and Preferences which attached to those Shares before such Consolidation.

Consolidation of Shares into Stock.

XI. And with respect to the Method of redeeming the said "Preference Fifth Shares," be it enacted, That not less than Fourteen or more than Twenty-one Days before the First Day of *June* One thousand eight hundred and fifty-five the Company shall give Notice in the "*London Gazette*," and in Two Newspapers published in *Lancashire*, that it is their Intention to pay off on some Day in the said Month of *June*, to be fixed in the said Notice, the said "Preference Fifth Shares;" and the said Company shall upon the Day so fixed by them pay to every Holder of a "Preference Fifth Share," upon Production of the Certificate for the same, the Sum which shall be then due on each such Share, according to the Terms on which the same were respectively issued, together with whatever Amount of Dividend

As to Method of redeeming "Preference Fifth Shares,"

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may be then due on the said Share ; and the Certificate for the said Share shall upon such Payment be delivered up to the Company to be cancelled, and the same shall be cancelled accordingly, and the Share shall be merged: Provided always, that if any Holder of a "Preference Fifth Share" shall neglect or fail to produce the Certificate of such Share to be cancelled within Fourteen Days after the Day so fixed for paying off the same as aforesaid, or to produce satisfactory Proof that such Certificate has been lost or destroyed, from and after the Expiration of those Fourteen Days all Dividend, whether ordinary, or preference, or guaranteed, on the said Share, shall cease.

Repeal of
Tolls and
Charges
authorized
by recited
Acts.

XII. And whereas by the before-recited Acts the *East Lancashire Railway Company* are authorized to charge for the Use of their Railways, and for the Carriage of Passengers and Goods and Minerals thereon, certain Tolls, Rates, and Duties, subject to the Regulations and Restrictions in those Acts contained: All the Provisions, Matters, and Things in the recited Acts contained, prescribing the Amount of the Tolls, Rates, and Duties to be charged for the Use of the said Railways, or the Conveyance of Passengers, Goods, and Minerals thereon, and the Manner of recovering the same, shall, except as herein-after provided, be and the same are hereby repealed.

Tolls:

XIII. That the Company may demand and receive, in respect of the Use of the *East Lancashire Railway*, and of Traffic conveyed by them on those Portions of Railway of which they are part Owners, or which they have a Right to use, (exclusive of Carriages and locomotive Power,) any Rates, Tolls, and Charges not exceeding the Rates, Tolls, and Charges following ; (that is to say,)

For Passen-
gers.

For every Passenger conveyed in or by any Express Train, the Sum of Twopence Halfpenny *per Mile* :

For every Passenger conveyed in a First-class Carriage by any other Train, the Sum of Twopence *per Mile* :

For every Passenger conveyed in a Second-class Carriage by any such other Train, the Sum of One Penny Farthing *per Mile* :

For every Passenger conveyed in a Third-class Carriage by any such other Train (except Parliamentary Trains), the Sum of One Penny *per Mile* ; and in Parliamentary Trains, Three Farthings *per Mile*.

For Cattle,
Goods, &c.

And with respect to Horses, Cattle, Carriages, and Goods, as follows :

For every Horse, Mule, and other Beast of Draught or Burden, Twopence and Two Fifths of a Penny *per Mile* :

For Cattle, the Sum of One Penny and One Fifth of a Penny *per Head per Mile* :

For Calves and Pigs, Sheep and small Animals, Three Fifths of a Penny *per Mile* :

For

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For every Carriage, Threepence and Three Fifths of a Penny *per* Mile :

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Pig and Bar Iron, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, and Salt, the Sum of One Penny and One Fifth of a Penny *per* Ton *per* Mile :

For all Coals, Slack, Cannel, Coke, Culm, and Cinders passing any Distance not exceeding Fifty Miles, the Sum of Three Farthings *per* Ton *per* Mile; and if passing a Distance exceeding Fifty Miles, Five Eighths of a Penny *per* Ton *per* Mile for the whole Distance travelled :

For Sheet Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron, One Penny and Four Fifths of a Penny *per* Ton *per* Mile :

For Sugar, Hides, Dyewoods, Manchester Packs, Earthenware, Timber, Staves, Deals, Metals, Nails, Anvils, Vices, and Chains, the Sum of Twopence and Two Fifths of a Penny *per* Ton *per* Mile :

For Corn and all other Grain, Malt, and Flour, the Sum of Twopence *per* Ton *per* Mile :

For Cotton and other Wools, Drugs, and manufactured Goods, the Sum of Threepence *per* Ton *per* Mile :

For Fish, Feathers, Canes, Cochineal, Household Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, the Sum of Threepence and Three Fifths of a Penny *per* Ton *per* Mile :

Provided always, that with respect to all the Matters aforesaid passed over the *East Lancashire* Railway or any Part thereof for a less Distance than Six Miles, or conveyed by the Company on those Portions of Railway of which they are part Owners or which they have a Right to use for a less Distance than Six Miles, the Company may demand Tolls as for Six Miles; and with respect to Coal, Slack, Cannel, Coke, Culm, and Cinders passing any Distance exceeding Fifty Miles, the Company may demand and receive Tolls as for Fifty Miles at the least, at the Rate of Three Farthings *per* Ton *per* Mile.

XIV. That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers along the said Railways, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance as aforesaid, except Government Duty, shall not exceed the following Sums; (that is to say,)

Maximum
Rates of
Charges for
Passengers.

For every Passenger conveyed in or by any Express Train, the Sum of Threepence *per* Mile :

For

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For every Passenger conveyed in a First-class Carriage by any other Train, the Sum of Twopence Halfpenny *per* Mile :

For every Passenger conveyed in a Second-class Carriage by any such other Train, the Sum of Twopence *per* Mile :

For every Passenger conveyed in a Third-class Carriage by any such other Train, except Parliamentary Trains, the Sum of One Penny Farthing *per* Mile ; and in Parliamentary Trains, One Penny *per* Mile.

As to the
Charges for
fractional
Sums.

XV. Provided always, That for and instead of any fractional Part of Sixpence in any Sum beyond an integral Number of Sixpences payable to the Company by any Passenger conveyed along the Railway to any Part thereof by any Express Train, or in a First-class Carriage by any other Train, it shall be lawful for the Company and they are hereby empowered to demand and receive the Sum of Sixpence ; and for and instead of any fractional Part of Fourpence in any Sum beyond an integral Number of Fourpences payable by any Passenger conveyed in a Second-class Carriage by any such other Train, the Company may lawfully demand and receive the Sum of Fourpence ; and for and instead of any fractional Part of Twopence in any Sum beyond an integral Number of Twopences payable by any Passenger conveyed in a Third-class Carriage by any such other Train, except Parliamentary Trains, the Company may lawfully demand and receive the Sum of Twopence.

Maximum
Rates for
Cattle,
Goods, &c.

XVI. And with respect to the Conveyance of Goods, the maximum Rates of Charge to be made by the Company for the Conveyance thereof along the said Railways, including the Tolls for the Use of the Railways, and Waggon or Trucks, and locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company, shall not exceed the following Sums ; (that is to say,)

For every Horse, Mule, and other Beast of Draught or Burden, Threepence and Three Fifths of a Penny *per* Mile :

For Horned Cattle, the Sum of Twopence and Two Fifths of a Penny *per* Head *per* Mile :

For Calves and Pigs, One Penny and One Fifth of a Penny each *per* Mile :

For Sheep and small Animals, Nine Tenths of a Penny each *per* Mile :

For every Carriage, Fourpence and Four Fifths of a Penny *per* Mile :

For all Coal, Cannel, Culm, Coke, and Cinders conveyed any Distance not exceeding Fifty Miles, the Sum of One Penny and One

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Eighth of a Penny *per Ton per Mile*; and if conveyed for any Distance exceeding Fifty Miles, Seven Eighths of a Penny *per Ton per Mile* for the whole Distance travelled:

For all Slack conveyed any Distance not exceeding Fifty Miles, One Penny *per Ton per Mile*; and if conveyed any Distance exceeding Fifty Miles, Seven Eighths of a Penny *per Ton per Mile* for the whole Distance travelled:

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Stone for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, the Sum of One Penny and Four Fifths of a Penny *per Ton per Mile*, if conveyed for a Distance not exceeding Fifteen Miles; and the Sum of One Penny and Seven Twentieths of a Penny *per Ton per Mile* if conveyed a Distance exceeding Fifteen Miles:

For Iron not damageable, One Penny and One Fifth of a Penny *per Ton per Mile* if conveyed for a Distance of Fifty Miles or upwards; but if for any less Distance than Fifty Miles, One Penny Halfpenny *per Ton per Mile*:

For damageable Iron, Sheet Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron, One Penny and Four Fifths of a Penny *per Ton per Mile* if conveyed for a Distance of Fifty Miles or upwards; but if for any less Distance than Fifty Miles, Twopence and Two Fifths of a Penny *per Ton per Mile*:

For Sugar, Hides, Dyewood, Manchester Packs, Earthenware, Timber, Staves, Deals, Metals, Hardware in Packages or Cases, Nails, Anvils, Vices, and Chains, the Sum of Threepence *per Ton per Mile* if conveyed for a less Distance than Fifty Miles; and the Sum of Twopence and Two Fifths of a Penny *per Ton per Mile* if conveyed Fifty Miles or upwards:

For Corn and all other Grain, Malt, and Flour, the Sum of Twopence Halfpenny *per Ton per Mile* if conveyed for a less Distance than Fifty Miles; and Twopence *per Ton per Mile* if conveyed Fifty Miles or upwards:

For Cotton and other Wools, and manufactured Goods, the Sum of Threepence and Three Fifths of a Penny *per Ton per Mile* if conveyed a less Distance than Fifty Miles; and the Sum of Threepence *per Ton per Mile* if conveyed a Distance of Fifty Miles or upwards:

For Fish, Feathers, Canes, Cochineal, Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, if conveyed for a less Distance than Fifty Miles, Fourpence and One Fifth of a Penny *per Ton per Mile*; and if conveyed for a Distance of Fifty Miles or upwards, the Sum of Threepence and Three Fifths of a Penny *per Ton per Mile*.

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as to Tolls.

XVII. That the following Regulations shall apply to such maximum Rates and Charges :

The Company shall be at liberty to fix a minimum Charge of Ten Shillings to be taken for each Carriage, and of Five Shillings for every Horse, conveyed upon the said Railways, notwithstanding the Charge for the Distance for which such Carriage or Horse respectively may be conveyed according to the Rates aforesaid may not amount to those Sums :

The Company shall not be compellable to provide Waggons or Carriages for the Conveyance of Coal, Cannel, Slack, Culm, Coke, or Cinders, but when such Waggons or Carriages are not provided by the Company a Deduction of One Eighth of a Penny *per* Ton *per* Mile shall be made from the above Rates of Carriage for as many Miles as the Company shall charge the said Rates ; but where any of the before-mentioned Articles, Matters, Persons, or Things shall be conveyed on the said Railways for a less Distance than Six Miles, the said Company are hereby empowered to demand and receive the aforesaid Charges, Rates, or Tolls (as the Case may be) for Six Miles ; and that where any such Articles, Matters, or Things shall be carried a Distance exceeding Fifty Miles, the Company are hereby empowered to demand and receive Rates, Tolls, or Charges as for Fifty Miles at the least :

Where a Waggon for the Carriage of Cattle or Sheep shall be conveyed by One Party the Charge for any such Waggon capable of containing Six Oxen or Twenty-five Sheep shall not exceed Sevenpence and One Fifth *per* Mile :

And 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.

Tolls for
small Parcels
and Articles
of great
Weight.

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

For the Carriage of small Parcels not exceeding Fourteen Pounds in Weight, One Shilling, whatsoever the Distance :

For every Parcel exceeding Fourteen Pounds but not exceeding Twenty-eight Pounds in Weight, Two Shillings, whatsoever the Distance :

For every Parcel exceeding Twenty-eight Pounds but not exceeding Fifty-six Pounds in Weight, Three Shillings, whatsoever the Distance :

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For Parcels exceeding Fifty-six Pounds and not exceeding One Hundredweight, Four Shillings; and the Company may demand any Sum not exceeding Ninepence for every Hundredweight beyond One Hundredweight up to Five Hundredweight:

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 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 such Sum as they think fit, not exceeding Tenpence *per Ton per Mile*:

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

Provided always, that the Tolls, Rates, and Charges to be taken by the Company in respect of the Passage and Conveyance of all Goods, Articles, Matters, and Things upon the *East Lancashire* Railway, and of Traffic conveyed by the Company on those Portions of Railway of which they are part Owners or which they have a Right to use, shall be computed, calculated, and imposed at such Rates as if the *ad East Lancashire* Railway and the said Portions of the said other Railways formed One Line of Railway.

XIX. That nothing herein contained shall be held to prevent the said Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods, Matters, and Things of any Description, by Agreement with the Owners of or Persons in charge of such Goods, Matters, and Things, either in respect of the Conveyance thereof by Passenger or other Trains, or by reason of any other special Service performed by the Company in relation thereto.

Company
may take in-
creased
Charges by
Agreement.

XX. That every Passenger travelling upon the Railway in a First-class Carriage may take with him his ordinary Luggage not exceeding One hundred and twelve Pounds in Weight, and every Passenger travelling in a Second-class Carriage may take with him his ordinary Luggage not exceeding Sixty Pounds in Weight, and every Passenger travelling in a Third-class Carriage may take with him his ordinary Luggage not exceeding Forty Pounds in Weight, without any Charge being made for the Carriage.

Passengers
Luggage.

XXI. That

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Restriction as to Charges not to apply to Special Trains.

XXI. That the Restriction as to the Charges to be made for the Conveyance of Passengers shall not extend to any special or extra Trains that may be required upon the said Railways, 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 Railways.

Company to provide locomotive Power.

XXII. That the Company shall and are hereby required, from Time to Time and all Times, to find and provide sufficient locomotive Power, when and as the same shall be required, and as soon as an adequate and sufficient Load shall be in readiness to convey all Merchandize, Articles, empty Waggon, Matters and Things, upon and along their Railways.

Certain Provisions of 8 & 9 Vict. c. 20. as to Carriage of Passengers, &c. extended to this Act.

XXIII. That all the Powers, Provisions, Matters, and Things contained in the Railways Clauses Consolidation Act, 1845, with respect to the carrying of Passengers and Goods on the Railway, and the Tolls to be taken thereon, shall, subject to the Provisions of this Act, apply to the *East Lancashire Railway Company*, and to the Tolls, Rates, and Charges payable to them for the Use of their Railway, and for the Traffic conveyed by them.

Power to vary Number of Directors.

XXIV. And whereas by the Seventy-sixth Section of the firstly-recited Act it is enacted, that the Number of Directors shall be Twelve, and by the Seventy-seventh Section Power is given to the Company to reduce the Number of Directors to Eight, and by the Twenty-fourth Section of "The *East Lancashire Deviations and Branch Railway Act, 1846*," it is enacted, that there shall be Three additional Directors; and Doubts have arisen whether the Power to reduce the Number to Eight still exists: Be it enacted, That it shall be lawful for the Company to reduce the Number of Directors in pursuance of the said Seventy-seventh Section, and again by Vote of any Extraordinary Meeting to increase the Number, and so from Time to Time to reduce or increase the Number of Directors, provided that in no Case the Number of Directors shall be greater than Fifteen.

Power to alter Periods of holding General Meetings.

XXV. That it shall be lawful for the Company to hold their Ordinary Half-yearly Meetings in the Months of *February* and of *August* in every Year, instead of the Months of *January* and *July*, as prescribed by the Seventy-second Section of the firstly-recited Act.

Award of Commissioners of Railways as to Use of Part of Rail-

XXVI. Provided always, That nothing in this Act contained shall be deemed or construed to alter, interfere with, or affect the Determination and Award of the Commissioners of Railways, and of the Umpire appointed by them, bearing Date respectively the Ninth Day of

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of *September* 1850, as to the Manner, Terms, and Conditions in and upon which the *Bolton, Blackburn, Clitheroe, and West Yorkshire* Railway Company now have and enjoy the Power and Privilege of passing through, over, along, and across, and of using a Portion of the *East Lancashire* Railway Lands and Station in the Town of *Blackburn*, or to authorize or empower the said *East Lancashire* Railway Company to demand and receive from the said *Bolton, Blackburn, Clitheroe, and West Yorkshire* Railway Company, for or in respect of any Persons, Matters, or Things conveyed by them through, over, along, into, from, or across the same Portion of the said *East Lancashire* Railway Lands and Stations, any Rates, Tolls, or Charges in addition to or other than and except the Rates, Tolls, and Charges which the said *East Lancashire* Railway Company are authorized to demand and receive by virtue of such Determination and Award of the Commissioners of Railways, and of the Umpire appointed by them, or of any Acts now in force for and in respect of the Use of the same Portion of the *East Lancashire* Railway.

way by the Bolton, Blackburn, Clitheroe, and West Yorkshire Railway Company, not to be affected.

XXVII. 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 or Dividend 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 of "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Interest not to be paid on Calls paid up.

XXVIII. That it shall not be lawful for the Company, out of any Money by the said recited Acts authorized to be raised for the Purposes of such 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 Company's Capital.

XXIX. 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 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*

Railway and Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97.,

[Local.]

9 Q

better

The East Lancashire Railway Act, 1851.

5 & 6 Vict.
c. 55.,
7 & 8 Vict.
c. 85., and
9 & 10 Vict.
cc. 57. & 105.

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, and for other Purposes in relation to Railways ; and Two Acts were passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, the One intituled An Act for regulating the Gauge of Railways, and the other intituled An Act for constituting Commissioners of Railways : Be it enacted, That nothing in this Act contained shall be held to exempt the Company or their said Railways from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways, so far as the same shall be applicable thereto.

Railways not
exempt from
Provisions
of future
General
Acts.

XXX. That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made, or the said Company, from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, or to the Conveyance of small Parcels on Railways, now in force or which may hereafter pass during this 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 or by the said recited Acts.

Provisions of
8 & 9 Vict.
c. 16. as to
Access to
Special Act
to apply to
this Act, &c.

XXXI. That the Clauses 161 and 162 of "The Companies Clauses Consolidation Act, 1845," "with respect to the Provision to be made for affording Access to the Special Act by all Parties interested," shall apply to this Act, and to all the Acts relating to the *East Lancashire Railway Company*.

Expenses of
Act.

XXXII. That all the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged out of the Funds of the Company.

Short Title
of Act.

XXXIII. That in citing this Act it shall be sufficient to describe it as "The *East Lancashire Railway Act, 1851.*"

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