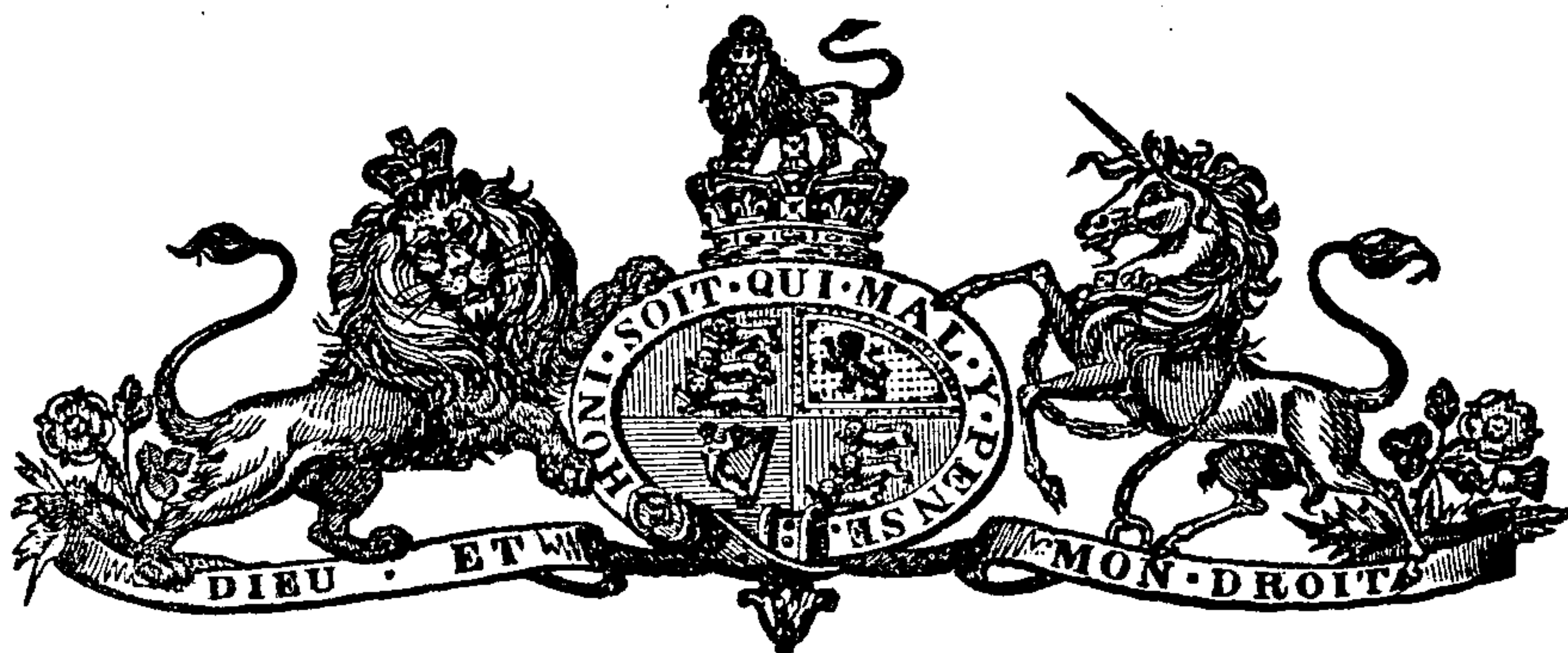




ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. clxxi.

An Act to enable the *Whitehaven and Furness Junction* Railway Company to make Branch Railways ; and for other Purposes.

[4th August 1853.]

WHEREAS “The *Whitehaven and Furness Junction* Railway Act, 1845,” authorized the making of a Railway from *Whitehaven* in the County of *Cumberland* to a Point of Junction with the *Furness* Railway in the Parish of *Dalton* in the County Palatine of *Lancaster*, and incorporated “The *Whitehaven and Furness Junction* Railway Company:” And whereas “The *Whitehaven and Furness Junction* (*Whitehaven* Extension and *Kirksanton* Deviation) Railway Act, 1846,” enabled the *Whitehaven and Furness Junction* Railway Company to make a Railway in deviation from their Line of Railway, and to construct an Extension thereof to a Point of Junction with the *Whitehaven Junction* Railway: And whereas “The *Whitehaven and Furness Junction* Railway Amendment Act, 1848,” enabled the *Whitehaven and Furness Junction* Railway Company to deviate or extend their Line of Railway from *Silecroft* to *Foxfield*, and to abandon a Portion of their Line between *Silecroft* and *Ireleth*, to make Branches to *Whitehaven* Harbour, and gave them other Powers: And whereas it is expedient that the *Whitehaven and Furness Junction* Railway Company should

8 & 9 Vict.
c. c.

9 & 10 Vict.
c. cccxx.

11 & 12 Vict.
c. cxxviii.

[*Local.*]

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be

Whitehaven and Furness Junction Railway Amendment Act, 1853.

be empowered to make and maintain the Branch Railways herein-after mentioned, with all proper Shipping Places, Piers, Works, and Conveniences connected therewith, and Approaches thereto, and they are willing, at their own Expense, to make the said several Railways and Works, if authorized by Parliament so to do; but these Purposes 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):

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

I. That the several Provisions of "The Lands Clauses Consolidation Act, 1845," and of "The Railways Clauses Consolidation Act, 1845," so far as the same are not expressly altered or revised by the Provisions of this Act, shall be incorporated with and form Part of this Act.

Short Title.

II. That in citing this Act in other Acts of Parliament, and in legal Instruments, and in Parliamentary and other Proceedings, it shall be sufficient to use the Expression "The *Whitehaven and Furness Junction* Railway Amendment Act, 1853."

Capital.

III. And whereas the estimated Expense of making the Branch Railways herein-after mentioned, and the Works connected therewith, is Three thousand three hundred Pounds, and the Funds at the Disposal of the Company are adequate to the Construction thereof respectively: Be it enacted, That it shall be lawful for the Company to apply so much of their Capital as is necessary for the Purpose of constructing and completing the Branch Railways and Works authorized by this Act.

Company
authorized to
raise 25,000*l*.

IV. And whereas by the secondly-recited Act the Company were authorized to raise the Sum of Twenty-five thousand Pounds by the Creation of new Shares or Stock, upon such Terms and in such Manner as might have been agreed upon at any General Meeting or Meetings of the Company specially convened for the Purpose: And whereas no Part of the said Sum of Twenty-five thousand Pounds has been raised: Be it enacted as follows: That it shall be lawful for the Company, with the Consent of Three Fifths of the Shareholders present at a Meeting specially convened for the Purpose, to raise the said Sum of Twenty-five thousand Pounds, either in manner authorized by the said Act, or by the Creation and Issue of Shares bearing such a Rate of Dividend, not exceeding Six *per Cent. per Annum*, payable at such Times, and having such Preference or Priority over other Shares in the Company and the Dividends thereof, as the Company shall deem expedient, or to raise the same

Money

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Money partly by one and partly by the other of the said Modes, and to do and carry into effect all Acts necessary or expedient for raising the said Sum of Twenty-five thousand Pounds, and creating an equivalent Amount of Shares or Stock, and securing the Payment of the Dividend thereof, according to the Terms on which the said Money shall be raised: Provided always, that no more than the Sum of Twenty-five thousand Pounds in the whole shall be raised by the Means aforesaid.

V. And whereas the Forfeiture of Six thousand one hundred and twenty-five Shares in the Company has been confirmed by the Company, in conformity with the Provisions of the said recited Acts: Be it enacted, That it shall be lawful for the Company, with such Consent as aforesaid, by a Resolution of a General Meeting to be specially convened for that Purpose, to direct that so many of the said Six thousand one hundred and twenty-five forfeited Shares as shall be necessary to raise the Sum of Thirty thousand Pounds shall be re-issued, and to re-issue the same to such Person or Persons as may be willing to accept the same, and to declare the Terms upon which the same shall be re-issued, and to fix the Price to be paid for each Share so re-issued, and the Time or Times for the Payment of such Price, and either to give or not to give to each such Share or the Holder thereof such Preference or Priority over other Shares or the Holders thereof, and to declare the same Shares or the Holders thereof entitled to such Dividends, not exceeding *Six per Centum per Annum*, payable either with or without Priority as aforesaid, and to make and give Effect to or authorize the Directors of the Company to make and give Effect to such Resolutions as the Company or the Directors shall deem expedient, respecting the Shares so to be re-issued as aforesaid, and the Dividends to be payable in respect thereof.

Company may direct Re-issue of forfeited Shares, by Resolution of General Meeting.

VI. Provided always, That the granting of any such Preference or Priority as aforesaid shall not prejudice or affect any Preference or Priority (if any) in the Payment of Interest or Dividends on any other Shares or Stock which shall or may have been granted by the Company, in pursuance of or which may have been confirmed by any previous Act of Parliament relating to the Company, or which may be otherwise lawfully subsisting.

Preference in Payment of Interest not to prejudice former Grants.

VII. That it shall be lawful for the Company, by a Resolution of a General Meeting to be specially convened for that Purpose, and at the Expiration of not less than Three Months after the passing of such Resolution, from Time to Time or at any Time to pay off at Par the Preference Shares created under the Authority of this Act or of the recited Acts or any of them, and to apply any of the Funds of the Company

Preference Shares may be paid off at Par.

Whitehaven and Furness Junction Railway Amendment Act, 1853.

Company for that Purpose, and after the Payment or Tender of the Amount of such Shares to the Holders thereof the Shares to which such Resolution shall apply shall cease to carry any Preference Dividend; and on the Expiration of Three Months after the Date of such Tender, if the same be not accepted, the said Shares shall become Ordinary Shares of the Company.

Railways
to be made
according
to deposited
Plans.

VIII. And whereas Plans and Sections showing the Lines, Levels, and Situations of the Railways and Works by this Act authorized to be made, together with Books of Reference to the said Plans containing the Names of the reputed Owners or Lessees and of the Occupiers of the Lands through which the same are intended to pass or be made, have been deposited with the Clerk of the Peace of the County of *Cumberland*: Be it enacted as follows: That, subject to the Provisions in this Act, and in "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Act, 1845," contained, it shall be lawful for the Company to make and maintain the Railways or Tramways herein-after mentioned, with all proper Shipping Places, Piers, Works, and Conveniences connected therewith and Approaches thereto respectively, in the Lines and Manner and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels described in the said Sections, and to enter upon, take, purchase, hold, and use such of the said Lands as shall be necessary for the Purposes aforesaid; (that is to say,)

Lines of
Railways.

Number One:—A Branch Railway or Tramway commencing by a Junction with the *Whitehaven and Furness Junction Railway* in the Township of *Preston Quarter* and Parish of *Saint Bees* in the County of *Cumberland* at or near the present Railway Station adjoining to *Preston Street* in the Township and Parish aforesaid, and terminating at, upon, or near to the North-west End of the Quay or Pier called "The *Old Tongue*," within the Port or Harbour of *Whitehaven*, and situated in the Township of *Whitehaven* in the said Parish of *Saint Bees*, and which said intended Branch Railway or Tramway will be wholly situate within the said Townships of *Preston Quarter* and *Whitehaven* and the said Parish of *Saint Bees*:

Number Two:—A Branch Railway or Tramway commencing by a Junction with the first-mentioned Branch Railway or Tramway in the said Township of *Whitehaven* and Parish of *St. Bees* at or near the Yard called "The Patent Slip Yard," and near the Custom House, and extending thence along the Street called *East Strand* to the Port or Harbour of *Whitehaven*, and terminating at or near to the North-west End of the Quay or Pier called "The *New Tongue*," within the Port or Harbour of *Whitehaven* in the said Township of *Whitehaven*, and which
lastly

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lastly described intended Branch Railway or Tramway will be wholly situate in the said Township of *Whitehaven* and Parish of *St. Bees* :

Number Three :—A Branch Railway commencing by a Junction with the *Whitehaven and Furness Junction* Railway at or near to a certain Place called “*The Walls Bridge*” in the Parish of *Muncaster* in the said County of *Cumberland*, and passing thence from, in, through, or into the several Parishes, Townships, and extra-parochial or other Places following, or some of them, (that is to say,) *Muncaster*, *Bootle*, *Ravenglass*, the Estuary of the River *Esk*, and the Sands and Sea Shore called “*Ravenglass Sands*,” or some of them, all in the County of *Cumberland*, and terminating at a Point adjacent to the Channel of the River *Esk* and upon or near to the Sands situate at the South End of the *Town Street* of *Ravenglass* in the said Parish of *Muncaster* :

And the Railway and Works by this Act authorized to be made by the *Whitehaven and Furness Junction* Railway Company shall when so made form Part of the Undertaking of the *Whitehaven and Furness Junction* Railway Company, and shall as such be subject to all the Provisions of the several Acts relating thereto.

IX. That it shall be lawful for the Company, in addition to the Lands which they are at present authorized to purchase for their Railways, and in addition also to the Lands herein-before authorized to be purchased by them for the Purposes of the Construction of the Railways by this Act authorized, to contract with any Party willing to sell the same for the Purchase of and to purchase, under the Powers herein-before contained, any Quantity of Land for any extraordinary Purposes connected with the Railways and Works by this Act authorized, not exceeding in the whole Five Acres.

Additional
Lands for ex-
traordinary
Purposes.

X. 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 One Year from the passing of this Act.

Period for
compulsory
Purchase of
Land limited.

XI. That nothing whatsoever contained in this Act or in any of the Acts herein recited or referred to shall extend to authorize the Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods and Forests and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give ; or to divest, prejudice, diminish, alter, or take away

Provisions as
to the Rights
of the Crown.

[*Local.*]

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Whitehaven and Furness Junction Railway Amendment Act, 1853.

any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Period for
Completion
of Works
limited.

XII. That the Railways and Works authorized by this Act shall be completed within Three Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then have been completed.

Regulating
the Passage
of Tramways
through the
Streets, &c.
of Preston
Quarter and
Whitehaven.

XIII. And with respect to the said Railways or Tramways Nos. 1 and 2, be it enacted as follows: The said Railways or Tramways shall, so far as they respectively shall pass through public Streets or Thoroughfares, and on public Piers, situate within the said Townships of *Preston Quarter* and *Whitehaven* or either of them, be laid with single Lines of Rails only, except at Places on the Piers where Sidings shall be necessary for Shipping Places, at which Places such Sidings may be made as the Trustees for the Time being of the Port, Harbour, and Town of *Whitehaven*, or a major Part of such Trustees, shall from Time to Time approve of.

No lateral
Deviation
to be made
at certain
Points with-
out Consent.

XIV. That the Lines of the said Railways or Tramways Number One and Number Two respectively shall (subject to the Provisions herein-after contained) be laid upon the public Streets, Quays, and Piers as shown on the Parliamentary Plans, and no lateral Deviation shall be made in any Portion of the same upon or along any of such public Streets, Quays, or Piers to a greater Extent than Thirty-six Inches, unless a larger Deviation for the Convenience of the Public within the Limits of Deviation shall be sanctioned by the said Trustees or the major Part of them, and that the upper Surface of the permanent Rails shall not be more than One Inch either above or below the Level of the public Streets or Thoroughfares respectively through which the same shall pass.

Regulations
as to laying
down Lines
of Railway.

XV. That the Lines of Rails shall be so laid down and maintained as to cause as little Impediment as may be to the Passage of Horses, Carriages, and Foot Passengers, and in the Formation of the Works in the said Townships of *Preston Quarter* and *Whitehaven* Delay shall be avoided as much as possible.

Company
to keep in
repair certain
Streets, &c.

XVI. That the Company shall, after laying down the Railways or Tramways, maintain in repair that Portion of the public Streets and Piers which shall be situate between the Rails of each Line, and also to the Extent of Nine Inches on the Outside of each Line of Rails.

XVII. That

Whitehaven and Furness Junction Railway Amendment Act, 1853.

XVII. That in case any of the present public Streets or Piers shall be widened or improved, or the Sites thereof altered, the Company may alter the Lines of the Railways, and lay down the same again, if they think fit, upon such widened or improved Streets or altered Sites, provided every such Alteration shall be approved by the said Trustees or the major Part of them; and the Lines laid down under this Provision shall for all Purposes be deemed Lines authorized as aforesaid, although not shown on the said Plans.

Company in certain Events authorized to alter Lines of Railway.

XVIII. That for the Purpose of promoting the Trade of the Port of *Whitehaven*, and extending the Connexion of the Railways or Tramways with the Shipping Places, Piers, or Wharfs, the Company may, with the Consent of the said Trustees or the major Part of them, extend the Railways or Tramways to any of the existing Piers, Quays, Wharfs, or Shipping Places within the Limits of the Harbour, or to any new or enlarged Pier or Wharf which may be hereafter made, as well as to any Quays, Piers, Shipping Places, Wharfs, Warehouses, or Stores in, upon, or adjoining to the Piers or Streets in or through which the Railways or Tramways are proposed to be made or pass; and the Lines laid down under this Provision shall for all Purposes be deemed Lines authorized as aforesaid, although not shown on the said Plans: Provided always, that the Company shall not extend any of the said Railways or Tramways as aforesaid upon any Lands below High-water Mark without having previously received the Assent of the Lord High Admiral or of the said Commissioners, signified by Writing under the Hand of the Secretary of the Admiralty, of each particular Extension.

Company, with the Consent of the *Whitehaven* Trustees, authorized to extend Tramways to existing or new and enlarged Piers, &c.

XIX. That the Company shall not be allowed to take compulsorily or to acquire any exclusive Right or Interest in, upon, or to the Soil or Fee of or in any of the public Streets, Piers, or Quays, to the Exclusion of the Rights of the Lord of the Manor and of the said Trustees or other the Owner thereof and the Public thereon and thereto: Provided nevertheless, that nothing herein contained shall deprive the Company of or prejudice their Power of using the Railways made under the Authority of this Act, nor their Right to or Property in the same, or the Materials of which they shall be formed, or the Carriages, Goods, or Things which shall be carried thereon.

Company not to acquire exclusive Right or Interest in the Soil or Fee of the public Streets, &c.

XX. That at any Time after the Construction of the said Railways or Tramways, or any or either of them, the Company may, with the Consent of the said Trustees or the major Part of them, take up, remove, and entirely abandon the same or any Part thereof, and thereupon they shall restore the Streets or Piers from which the Railways or Tramways and Works shall have so been removed, and thenceforth the Company shall cease to be liable to the Maintenance or Repairs of those Portions of the Streets and Piers which they shall have

Company may, with Consent of Trustees, abandon Railways, &c.

Whitehaven and Furness Junction Railway Amendment Act, 1853.

have been liable to maintain and repair under the Provision in that Behalf herein before contained.

Company to
pay certain
yearly Rents
to White-
haven Trus-
tees.

XXI. The Company shall pay yearly and every Year to the said Trustees (whose Receipts shall be a good Discharge for the same) (so long as the Railways or Tramways, or any or either of them, hereby authorized, or any other or others which shall be substituted for the same as aforesaid, shall be continued or kept as such by the Company,) the following yearly Sums; *viz.*, the Sum of One Pound, to be applied in the same Manner as the Town Funds and Rates of *Whitehaven* are applicable for lighting, watching, cleansing, and repairing the Streets; and the Sum of One Pound, to be applied as the Harbour Dues are applicable; such yearly Rents to be paid on the First Day of *January* in each Year, and to commence from the Time when the Streets or Piers respectively shall be interfered with under the Authority of this Act.

No Locomo-
tive Engine
to be used
on Railways
intersecting
the Streets,
&c.

XXII. That no Locomotive Steam Engine shall be used by the Company on the Railways or Tramways hereby authorized to be made on the Level of the Streets or Piers in the said Townships of *Preston Quarter* and *Whitehaven*, or either of them, for the Conveyance of any Traffic thereon, but all Goods, Passengers, Engines, Waggon, and Carriages of the Company used or carried on the same Railways or Tramways in the Townships aforesaid, or any or either of them, shall be so used and carried, drawn or propelled, by Hand Labour or Horses or other Animal Power only, and not at greater Speed than at the Rate of Six Miles an Hour.

Regulating
Use of
Railways
on Market
Day.

XXIII. That on every *Thursday* (being the general Market Day in *Whitehaven*) between the Hours of Seven in the Morning and Three in the Afternoon the Company or their Servants shall not use the said Railway or Tramway Number One for the Conveyance of Traffic thereon between the Points where the same shall cross the Highway called *Preston Street* in the said Township of *Preston Quarter* on the one hand, and Point of Junction with the said Railway or Tramway Number Two on the other, except with the Sanction or Consent in Writing of the said Trustees or the major Part of them, certified under the Hand of their Clerk, which Consent the major Part of the said Trustees may in like Manner at any Time thereafter qualify, amend, alter, or revoke; provided Notice be given in Writing to the said Company of every such Qualification, Amendment, Alteration, or Revocation; and that the said Trustees or the major Part of them for the Time being may, notwithstanding any such Alteration or Revocation, at any Time and from Time to Time thereafter renew and grant their Sanction and Consent in Writing, and for the Purpose aforesaid, on such Conditions and with such Restrictions

Whitehaven and Furness Junction Railway Amendment Act, 1853.

Restrictions as they shall in that Behalf deem necessary, and that in case the Servants of the Company shall use the said last-mentioned Railways or Tramways for the Conveyance of Passengers or Goods or for any other Purposes in the Night-time, or shall repair the Rails or Works during the Night, due Precaution shall be taken by using a sufficient Light or Lights to guard against Accidents and Damage.

XXIV. That the said Railway or Works connected therewith on the said *Old Tongue* Pier shall not be used for the Shipment of Mineral Produce; and such Railway and Works on both the said Piers shall be under the Control of the Harbour Master, and shall be subject to such Rules and Regulations as the Harbour Trustees, who are hereby authorized to make the same, shall prescribe and think fit to enforce, and be under the Control of the Harbour Master.

Restrictions
on Use of
Piers.

XXV. That the said Railways or any or either of them shall not deviate Seaward from the continuous Centre Line shown on the Parliamentary Plan deposited at the Admiralty, without the previous Assent of the said Lord High Admiral or the said Commissioners, signified by Writing under the Hand of the Secretary of the Admiralty.

Limiting
Deviations
Seaward.

XXVI. That nothing in this Act contained shall confer upon the Company an exclusive Right to any Part of *Whitehaven* Harbour, or to interrupt the Use thereof or of any Part thereof by the Steam Navigation Company, or any Vessel or Boat whatsoever frequenting the Harbour or Piers, nor shall authorize or empower the Company to encroach upon the Limits of the said Harbour, or make any Erections that will prevent a free Passage along the Piers for the Public at large.

Restricting
the Company
from having
an exclusive
Use of the
Harbour of
Whitehaven.

XXVII. That it shall be lawful for the Company to demand and receive, in respect of the Railways and Works by this Act authorized, and of the Engines and Carriages employed thereon, any Tolls and Charges not exceeding the Tolls and Charges authorized by "The *Whitehaven and Furness Junction* Railway Act, 1845," and the Acts therein recited, and limited by "The *Whitehaven and Furness Junction* (Whitehaven Extension and *Kirksanton* Deviation) Railway Act, 1846," in respect of the Use of the Railways thereby respectively authorized, and of the Engines and Carriages to be employed thereon.

Tolls.

XXVIII. That if any Viaduct or Work to be executed by the Company in or across any tidal Water or navigable River, or if any
[Local.] 33 Q Portion

If Works
constructed
across tidal

Whitehaven and Furness Junction Railway Amendment Act, 1853.

Waters be
abandoned,
the Admi-
alty may
cause them to
be removed.

Portion of the Railway which affects any such Water or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay 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, with Costs of Suit.

Exemption
of certain
Vessels from
Rates or
Duties.

XXIX. That nothing in this Act contained shall extend to charge with Rates or Duties, or to regulate or subject to any Control, any Vessel belonging to or employed in the Service of Her Majesty, Her Heirs and Successors, or any Member of the Royal Family, or in the Service of the Customs or Excise, or of the Corporation of *Trinity House of Deptford Strond*, or the Commissioners of Northern Lights, using the Piers, Wharfs, and other Works connected therewith, and not conveying Goods for Hire, or any Packet Boat or Post Office Packet, being a Packet Boat or Post Office Packet as defined under the Provisions of any Act relating to the Post Office, or any Post Office Bag of Letters conveyed by any such Packet Boat or Packet or by any other Vessel whatsoever, or by any of the Officers or Persons employed in the Service of the Admiralty, Ordnance, Customs, Excise, or Post Office, or their Baggage, or any Vessels or Goods being under Seizure by the Officers of the Revenue, or any Naval, Victualling, or Ordnance Stores, or other Stores or Goods for the Service of or being the Property of Her Majesty, or any Troops landed upon or delivered or disembarked from any of the said Piers, Wharfs, and other Works, not being the Company's Line of Railway or any Part thereof, or their Baggage, but all such Vessels, Officers, or Persons as aforesaid shall have the free Use of the said Piers, Wharfs, and other Works, and not of any Part of Company's Line of Railway, without any Charge or Rate being made for using the same: Provided always, that if any Person claim and take the Benefit of any such Exemption as aforesaid without being entitled thereto, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Act not to
extend or
diminish the
Powers or
Authorities
of the
Whitehaven
Trustees.

XXX. That nothing in this Act contained shall, except so far as expressly authorized by this Act, or is or may be necessary or reasonably required for making, maintaining, and working the Railways or Tramways hereby authorized, according to the said Plans and according to this Act, be deemed to alter, vary, repeal, extend, diminish, or enlarge any of the Powers or Authorities now vested in the Trustees of the Town and Harbour of *Whitehaven* by virtue of their several Acts or either or any of such Acts.

XXXI. That

Whitehaven and Furness Junction Railway Amendment Act, 1853.

XXXI. That in case the Railway by this Act authorized to be constructed shall not be completed and opened for public Traffic within the Period of Three Years from the passing of this Act, then and from thenceforth it shall not be lawful for the Company or the Directors thereof to pay any Dividend to the Shareholders on the ordinary or unguaranteed Capital of the Company until such Railways shall have been completed and opened for public Traffic.

If Railway be not completed, &c. within a certain Time, Dividends on ordinary Shares to be suspended.

XXXII. That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the 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; but nothing herein-before contained shall be deemed to prevent the 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.

XXXIII. That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the 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 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.

XXXIV. 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 Railways*; 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, and for other Purposes in relation to Railways*; and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and an Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the same

Railway and Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

Reign,

Whitehaven and Furness Junction Railway Amendment Act, 1853.

Reign, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the Company or their Railways and Branch Railways from the Provisions of such several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Branch Railways so far as the same shall be applicable thereto.

Railways not
exempt from
Provisions of
any future
General Acts.

XXXV. That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any General Act relating to this or the said recited Acts, or of any General Act relating to 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 of the Rates for small Parcels.

Expenses
of Act.

XXXVI. That all Costs, Charges, and Expenses of and attending the applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid by the *Whitehaven and Furness Junction* Railway Company.

LONDON:

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