



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. lxxix.

An Act to consolidate and amend the Acts relating to the *Maryport and Carlisle* Railway; to authorize the Company to improve their existing Railway; to make new Branches, Stations, and other Additions to their Works; to raise further Moneys; and for other Purposes.

[26th June 1855.]

WHEREAS by an Act (Local and Personal) passed in the 1st Vict. c. ci. First Year of the Reign of Her Majesty Queen *Victoria*, Chapter One hundred and one, herein-after called "the Act of 1837," the *Maryport and Carlisle* Railway Company were incorporated for the Purpose of making a Railway from the Town and Port of *Maryport* to the Borough of *Carlisle* in the County of *Cumberland*, there to join the *Newcastle-upon-Tyne and Carlisle* Railway; the Preamble of that Act reciting that such a Railway "would be
"productive of great Advantages to the agricultural, manufacturing,
"mining, and commercial Interests of the said County and the adjoining County of *Northumberland*, and to the Public in general, by
"affording great additional Facilities for the Transit of Passengers,
[Local.] 12 L "Merchandise,

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6 & 7 Vict.
c. lxx.

7 Vict.
c. xxxvi.

14 & 15 Vict.
c. lxxii.

“ Merchandise, and Minerals within the said County of *Cumberland*,
 “ as well for Home Consumption as for Exportation or Shipment to
 “ *Ireland, Scotland*, and other Places ; and that the Railway would also
 “ facilitate the Communication between the Continent of *Europe* and
 “ *Ireland* and the Western Coast of *England*, by forming in conjunction
 “ with the said *Newcastle-upon-Tyne and Carlisle* Railway and the
 “ *Brandlings Junction* Railway One complete and continuous Line of
 “ Railway Communication from the *German Ocean* to the *Irish Sea* ;”
 and the Company were authorized to raise by Shares the Sum of One
 hundred and eighty thousand Pounds, and by borrowing or by Shares
 the additional Sum of Sixty thousand Pounds : And whereas by
 another Act (Local and Personal) passed in the Sixth and Seventh
 Years of the same Reign, Chapter Seventy, herein-after called “ the
 Act of 1843,” reciting (amongst other things) that “ the Company
 “ had made considerable Progress in the said Undertaking, and a Part
 “ of the said Railway had been completed and was then open to the
 “ Public, and thereby the Transit of Passengers, Merchandise, and
 “ Materials within the said County of *Cumberland*, as well for Home
 “ Consumption as for Exportation or Shipment to *Ireland, Scotland*,
 “ and other Places, was greatly facilitated, and the Convenience and
 “ Advantage of the Public in general greatly promoted,” the Company
 were authorized to raise by Shares a further Sum of One hundred and
 seventeen thousand nine hundred and forty-six Pounds, and by borrow-
 ing or by Shares an additional Sum of Thirty-nine thousand Pounds,
 and to make certain Improvements and Alterations in their authorized
 Line of Railway, and the Act of 1837 was in other respects amended :
 And whereas by another Act (Local and Personal) passed in the
 Seventh Year of the same Reign, Chapter Thirty-six, and herein-after
 called “ the Act of 1844,” the Company were authorized to make an
 Extension from *Bogfield* to *Crown Street*, and an Extension or Branch
 from *Bogfield* to a Field belonging to *John Studholme*, and a Branch
 from the last-mentioned Field to *Crown Street*, all within the Borough of
Carlisle, and the Acts of 1837 and 1843 were in other respects amended :
 And whereas by another Act (Local and Personal) passed in the
 Fourteenth and Fifteenth Years of the same Reign, Chapter Seventy-
 two, herein-after called “ the Act of 1851,” the Company were autho-
 rized to create an additional Share Capital of Ninety-one thousand
 two hundred Pounds, and to borrow in addition to the Sums then
 authorized the further Sum of Fifteen thousand seven hundred Pounds ;
 but it was enacted, that the Power of raising so much of the Capital
 of One hundred and eighty thousand Pounds by the Act of 1837
 authorized to be raised by Shares as then remained unexercised, and
 amounting to Forty-three thousand nine hundred Pounds, should
 cease, and the Company were authorized to construct a Branch Rail-
 way from *Bogfield* aforesaid to the *Lancaster and Carlisle* Railway
 in *Carlisle*, and to abandon the Formation of the said Extension or
 Branch

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Branch from *Bogfield* to *Crown Street* in *Carlisle*, and the Acts of 1837, 1843, and 1844, were in other respects amended: And whereas the Powers to construct the Two other Branches authorized by "the Act of 1844" having lapsed, the present Undertaking of the Company consists of a Main Line of Railway from *Maryport* to *Carlisle*, authorized by the Act of 1837, nevertheless as altered by the Act of 1843, and of the Branch Railway to the *Lancaster and Carlisle* Railway, authorized by the Act of 1851: And whereas the Capital of the Company consists of Two thousand seven hundred and twenty-two Ordinary Shares of Fifty Pounds each (One hundred and thirty-six thousand one hundred Pounds), created under the Act of 1837, and of Two thousand four hundred and eighty-six Ordinary Shares of Twelve Pounds Ten Shillings each (Thirty-one thousand and seventy-five Pounds), and of Six thousand seven hundred and thirteen Preference Shares of Twelve Pounds Ten Shillings each (Eighty-three thousand nine hundred and twelve Pounds and Ten Shillings), bearing a minimum Dividend of Four Pounds *per Centum per Annum* respectively, created under the Act of 1843, and of Seven thousand two hundred and ninety-six Preference Shares of Twelve Pounds Ten Shillings each (Ninety-one thousand two hundred Pounds), bearing a minimum Dividend of Four Pounds Ten Shillings *per Centum per Annum*, created under the Act of 1851, making a total Capital of Three hundred and forty-two thousand two hundred and eighty-seven Pounds Ten Shillings, and all which Shares are fully paid up: And whereas the present Mortgage Debt of the Company is about One hundred and fourteen thousand and eighty-four Pounds: And whereas the Company have from Time to Time made considerable Improvements in their Undertaking by laying down heavier Rails, and by converting Portions of their Railway into a double Line of Railway, and in other respects, whereby they have expended the Sum of Thirteen thousand one hundred and eighty-seven Pounds, or thereabouts, over and above the Amount raised by the Creation of Shares and by borrowing, which Sum of Thirteen thousand one hundred and eighty-seven Pounds is a Simple Contract Debt due by the Company; and the Company are also indebted to the *Lancaster and Carlisle* Railway Company for the Purchase of Land authorized by the recited Acts, or One of them, in the Sum of Two thousand eight hundred and seventy-three Pounds, or thereabouts: And whereas it would be of public Advantage if the Company were authorized to convert their Railway into a double Line throughout, and to construct the several Branches, Extensions, and other Works and Conveniences herein-after described, the Expense of which has been estimated at the Sum of Fifty-four thousand two hundred and fifty Pounds, and to raise additional Sums of Money for those Purposes, and for the Purpose of paying the Debt and Expenses already incurred by the Company in making the aforesaid Improvements to their Railway, and the Debt now owing to the *Lancaster and Carlisle*

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Carlisle Railway Company, and for other the Purposes of the Company: And whereas it is expedient that some of the Provisions of the recited Acts should be amended, and that, in order to avoid the Inconvenience arising from several Acts relating to the same Purposes being in force at the same Time, the recited Acts should be repealed, and that the Provisions thereof, modified and amended, should be consolidated into One Act: And whereas the several Purposes aforesaid 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:

Short Title.

I. In citing this Act for any Purpose, it shall be sufficient to describe it as "The *Maryport and Carlisle* Railway Act, 1855."

Commencement of Act.

II. This Act shall commence and have effect on and from the Fourth *Wednesday* next after the passing thereof.

Recited Acts repealed.

III. From and after the Commencement of this Act, the *Maryport and Carlisle* Railway Company, incorporated as herein-before mentioned, shall be and the same is hereby dissolved, and (subject as herein-after provided) the several recited Acts shall be and the same are hereby repealed.

Sections of recited Acts inserted in Schedule to this Act to remain in force.

IV. Provided also, That, notwithstanding the Repeal of the recited Acts, the several Sections and Provisions thereof respectively given in the Schedule to this Act annexed, so far as the same were immediately before the Commencement of this Act in force, shall remain and be in force; and this Act, and the several Powers and Provisions thereof, shall in all respects be subject and without Prejudice to those Sections and Provisions respectively, so far as they may be or continue applicable to the Undertaking of the Company hereby incorporated, or any Part thereof; and this Act or anything therein contained shall not, except only as regards the Interpretation provided for by this Section, alter, interpret the Meaning of, or in any Manner affect those Sections and Provisions, or any of them: Provided always, that the Expression "the said Company," and all Words and other Expressions relating to the Company hereby dissolved in those Sections and Provisions, or any of them, shall after the Commencement and for the Purposes of this Act mean the Company hereby incorporated.

Re-incorporation of Maryport and Carlisle Railway Company.

V. From and after the passing of this Act, the several Persons and Corporations who immediately before the Commencement thereof were Proprietors of Stock or Shares of or in the Company hereby dissolved, and all other Persons and Corporations who shall hereafter subscribe towards the Undertaking of the Company hereby incorporated, and their

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their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of continuing, making, completing, maintaining, and working the several Railways, and other the Works and Undertaking of the Company hereby dissolved, and the other Works by this Act authorized to be constructed, completed, maintained, and worked (and all which are herein-after referred to as the Undertaking of the Company), and for the several other Purposes of this Act; and for the Purposes aforesaid shall be incorporated by the Name of "The *Maryport and Carlisle* Railway Company," hereinafter called "the Company," and by that Name shall be a Body Corporate, and have a Common Seal and perpetual Succession, and shall have Power to purchase, hold, sell, and dispose of Lands for the Purposes of the said Undertaking and of this Act, and the Common Seal of the Company hereby dissolved shall be the Common Seal of the Company until such Seal be altered pursuant to the Powers in that Behalf conferred on the Company.

VI. Provided always, That nothing in this Act contained shall extend in any way to defeat, affect, or prejudice any Rights, Privileges, Liberties, Powers, Easements, Accommodations, or Exemptions not herein-after specified and reserved, or not otherwise expressly provided for by this Act, to which any Persons or Corporations whose Estates, Properties, or Interests are, have been, or may be in anywise affected in or by the making or maintaining, or otherwise on account of the Railways and Works by the recited Acts respectively authorized, are, or may be, or but for the Repeal of the recited Acts by this Act effected would have been otherwise entitled under or by virtue of such Acts or any of them, and which Rights, Privileges, Liberties, Powers, Easements, Accommodations, or Exemptions were or might have been subsisting or capable of being exercised at the Time of the Commencement of this Act, or at any Time thereafter, in respect of Matters done or omitted before the passing of this Act; but (except where otherwise provided for by this Act) all such Rights, Privileges, Liberties, Powers, Easements, Accommodations, and Exemptions shall be as valid and effectual as if this Act had not been passed, and such several Persons and Corporations shall be entitled to, and shall have, use, and enjoy the same as fully and effectually as if this Act had not been passed, and shall and may have and be entitled to such or the like Powers and Remedies with reference to and against the Company for securing the Possession, Use, and Enjoyment of such Rights, Privileges, Easements, Accommodations, and Exemptions as under the Provisions of the recited Acts, or any of them, they had or were or might have been entitled to with reference to and against the Company hereby dissolved in case this Act had not been passed; and all such Penalties, Damages, Moneys, Costs, and Expenses as under the Provisions of the recited Acts, or any of them, would or hereafter

General
Saving of
Rights.

[*Local.*]

12 M

might

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might have become payable to or recoverable by such Persons and Corporations as aforesaid of and from the Company hereby dissolved in case this Act had not been passed, shall and may be payable by and recoverable from the Company in such Manner and by such Ways and Means (except when they shall be otherwise provided for by this Act) as the same were respectively payable and recoverable immediately before the Commencement of this Act under the Provisions of the recited Acts, or any of them, relating to the Company hereby dissolved, or such of them as were then subsisting unrepealed.

Repeal not
to affect Acts
done under
recited Acts.

VII. Provided also, That, notwithstanding the Repeal of the recited Acts, and except only as is by this Act otherwise expressly provided, everything before the Commencement of this Act done or suffered under the recited Acts, or any of them, shall be as valid as if the recited Acts were not repealed; and the Repeal thereof and this Act respectively shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which if the recited Acts were not repealed and this Act were not passed would be incident to or consequent on any and every thing so done or suffered; and with respect to all such Rights, Liabilities, Claims, and Demands, the Company shall to all Intents and Purposes represent the Company hereby dissolved.

Property of
the dissolved
Company
vested in new
Company.

VIII. The several Railways and other Works, Houses, Warehouses, Toll Houses, Yards, Lands, Buildings, Tenements, Conveniences, Rights, Privileges, Easements, Hereditaments, and Real Estate whatsoever, and also all Choses in Action and Personal Estate and Effects whatsoever, which were respectively vested in or belonged to the Company hereby dissolved immediately before the Commencement of this Act, or which would have become vested in or belonged to them if this Act had not been passed, and all the Estate, Right, Title, Interest, Property, Claim, and Demand of the Company hereby dissolved in, to, upon, or over the same, and all their Rights of User and Passage in, along, and upon the same Railways and other Works, and all other Rights and Remedies in respect thereof, shall from and after the Commencement of this Act be and become in like Manner and Degree vested in and belong to and be available for the Company.

Grants, Con-
veyances,
Contracts,
&c. to remain
in force.

IX. All Acts of Parliament and Provisions of Acts (other than the Acts and Provisions of Acts hereby repealed), and all Powers and Authorities thereby conferred on, and all Gifts, Grants, Conveyances, Leases, Assignments, Assurances, Purchases, Sales, Titles by Possession and otherwise, Covenants, Contracts, Agreements, Tolls, Rates, Charges, Rents, Annuities, Debts, Mortgages, Bonds, Securities, Liabilities, Verdicts, Judgments, Decrees, Orders, Inquisitions,

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tions, Processes, Awards, Consents, Approval, Certificates, Notices, and other Matters and Things enacted, made, executed, entered into, acquired, obtained, issued, incurred, made payable, served, published, or given to, with, from, by, upon, in favour of, against, or in reference to the Company hereby dissolved, shall from and after the Commencement of this Act be as good, valid, and effectual upon, or in favour of, or against, or in reference to the Company, as the same respectively were good, valid, and effectual immediately before the Commencement of this Act upon, or in favour of, or against, or in reference to the Company hereby dissolved; and the Company shall be substituted for and be considered as identical with the Company hereby dissolved in reference to all such Matters, as well as in reference to all other Transactions of and Matters relating to the dissolved Company.

X. No Action, Suit, Prosecution, Appeal or Notice of Appeal, or Decision of Justices, or Matter pending before Justices, Distress, Entry, Execution, Arbitration, or other Proceeding whatsoever, commenced, carried or levied, given or made, by, against, or in reference to the dissolved Company previously to the Commencement of this Act shall abate or be discontinued, annulled, or prejudicially affected by this Act, but, on the contrary, the same shall continue and take effect in favour of, or against, or in reference to the Company, in the same Manner in all respects as the same would have continued and taken effect in favour of, or against, or in reference to the dissolved Company if this Act had not been passed; and all Penalties incurred by or for any Offence against the Provisions of the recited Acts, or any of them, or against any Byelaw or Regulation of or concerning the dissolved Company, previously to the Commencement of this Act, shall and may be sued for, prosecuted, and recovered, and all Offences which may have been committed before the Commencement of this Act against the Provisions of the recited Acts, or any of them, or any such Byelaw or Regulation, may be prosecuted in such or the like Manner, to all Intents and Purposes, as the same might have been sued for and prosecuted respectively if this Act had not been passed; the Company being, in reference to the Matters aforesaid, in all respects substituted for and considered as identical with the Company hereby dissolved.

Actions, &c.
not to abate.

XI. Nothing in this Act contained shall be held to prejudice or affect any Right or Cause of Action or Suit, or any Remedy, which the Company hereby dissolved had, or, in respect of Matters done or omitted before the Commencement of this Act, might have had, against any Person or Corporation, or which any Person or Corporation had, or, in respect of Matters done or omitted before the Commencement of this Act, might have had, against the Company hereby dissolved; but that all such Rights, Causes, and Remedies may be enforced or prosecuted

Rights of Action saved.

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secuted by or against the Company in like Manner and within the same Periods as the same might have been enforced or prosecuted by or against the Company hereby dissolved if this Act had not been passed.

Act not to
affect Reso-
lutions or
Orders of
Meetings of
Proprietors,
Directors,
&c.

XII. Nothing in this Act contained shall be held or construed to annul, prejudice, or affect any Resolution or Order of any Meeting of the Proprietors of the Company hereby dissolved, or of the Directors or of any Committee of the Directors of the same Company, and all Acts and Proceedings thereunder, Register of Shareholders, Shareholders Address Book, Register of Transfer of Shares, Mortgages, Bonds, Loan Notes, or Annuities, Books of Account, or other Register or Book whatsoever of or relating to the same Company, or any of them, but that all such Resolutions and Orders, Calls, Notices, Registers, and Books respectively shall, notwithstanding the passing of this Act, continue in full Force and Effect, and be applicable to the Company, in like Manner and to the like Extent as they would have continued and been applicable to the Company hereby dissolved if this Act had not been passed.

Moneys be-
longing to
incapacitated
Persons to
be applied
according to
Provisions of
Acts under
which Pur-
chases were
made.

XIII. In all Cases in which, under the Provisions of any of the Acts hereby repealed, any Sum of Money has already been paid by the Company hereby dissolved into the Bank of *England*, or to any Trustee or Trustees, on account of the Purchase of any Land or any Interest therein, or for any Compensation or Satisfaction, or on any other account, such Sum, or the Stocks, Funds, or Securities upon which the same has been or shall be invested, either by the Order of the Court of Exchequer or the Court of Chancery, or otherwise howsoever, and the Interest, Dividends, and annual Produce thereof, shall be applied and disposed of pursuant to the Act or Acts under which the same has been so paid into the Bank of *England*, or to such Trustee or Trustees as aforesaid, or pursuant to the Act or Acts under which the same would have been applied and disposed of if this Act had not been passed; and all the Clauses, Provisions, Powers, and Authorities contained in such Act or Acts respectively in relation to such Moneys, Stocks, Funds, and Securities, and the Interest, Dividends, and annual Produce thereof, shall for the Purposes of this Act remain in full Force, and shall be construed and taken as if the Company were named in such Act or Acts instead of the Company hereby dissolved.

Present
Officers, &c.
continued.

XIV. All Arbitrators, Umpires, Valuers, Surveyors, Receivers of Tolls, Constables, and all Auditors, Officers, Clerks, Servants, and Nominees whatsoever, appointed by or for or relating to the Company hereby dissolved at the Time of the Commencement of this Act, shall continue in and hold their respective Appointments, Offices, and Employments, according to the Terms and Exigencies thereof, until the

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the Determination thereof or until their Removal therefrom by the Company, or otherwise, in due Course of Law; and all such Arbitrators, Umpires, Valuers, Surveyors, Receivers, Constables, Auditors, Officers, Clerks, Servants, and Nominees, shall have the same Duties, Powers, Privileges, and Advantages, and shall be liable to the same Responsibilities, Penalties, Obligations, Restrictions, and Regulations, as if they had been appointed under this Act; and all Acts, Matters, and Things made, done, and permitted by them respectively in their respective Appointments, Offices, and Employments before the Commencement of this Act, shall be as good, valid, and effectual, to all Intents and Purposes, and have reference to the Company, in like Manner and to the like Extent as they would have been good, valid, and effectual, and had reference to the Company hereby dissolved if this Act had not been passed.

XV. All Officers and Persons who on the Commencement of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or any Effects, under or by virtue of any of the recited Acts relating to the Company hereby dissolved, shall account for and deliver up all such Money, Books, Documents, Papers, Writings, and other Effects to the Company, or to such Person as they shall appoint to receive the same, in the same Manner as such Officers or Persons would have been liable to account for and deliver up the same if this Act had not been passed.

Officers under former Acts to account.

XVI. All Byelaws, Rules, and Regulations which immediately before the Commencement of this Act were in force upon, concerning, or in respect of the Undertaking of the Company hereby dissolved, or any Part or Parts thereof, shall after the Commencement of this Act continue and be in full Force and Effect upon, concerning, or in respect of the same Undertaking or the same Part or Parts thereof, subject nevertheless as the same may be repealed or altered by this Act or in conformity with any Power by this Act granted.

Existing Byelaws to remain in force.

XVII. All Dividends and Interest which had accrued or were accruing to the Proprietors of Stock or Shares of or in the Company hereby dissolved at the Time of the Commencement of this Act, and which shall not have been previously paid to them, shall be paid to such Proprietors up to the Time of the Commencement of this Act, notwithstanding the Repeal by this Act of the Act or Acts under which the same had accrued or were accruing.

Saving Right of Proprietors to unpaid Dividends and Interest.

XVIII. All Share Registers, and other Registers, Books, Verdicts, and other Matters of Record and Documents whatsoever, and all Byelaws, Rules, and Regulations, and all certified and other authenticated Copies or Extracts of or from Registers, Books, Records, Documents, [Local.] 12 N Byelaws, Books, &c. to be Evidence.

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Byelaws, Rules, and Regulations made, kept, recorded, certified, and authenticated under or in pursuance of the recited Acts, and which by any such Acts or otherwise were made Evidence or authorized to be given in Evidence, shall, notwithstanding the Repeal of such Acts, and the Dissolution and Re-incorporation by this Act of the *Maryport and Carlisle* Railway Company, be admitted as Evidence in all Courts of Law and Equity, and elsewhere, as fully and effectually as the same respectively would or might have been admitted if this Act had not been passed.

Maps, &c.
deposited to
remain with
the Clerks of
the Peace,
&c. and to be
open to In-
spection.

XIX. The several Maps, Plans, Sections, and Books of Reference, and Corrections and Certificates of Correction of Maps, Plans, Sections, and Books of Reference, which prior to or in pursuance of the recited Acts, or any of them, have been deposited with any Clerks of the Peace, Town Clerks, or Parish Clerks, shall remain in the Custody of such Clerks of the Peace, Town Clerks, and Parish Clerks respectively, to the end that all Persons interested in any Manner therein may at all reasonable Times have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom at their Pleasure, such Persons paying to such Clerks of the Peace, Town Clerks, and Parish Clerks from whom such Inspection or Copies or Extracts may be demanded respectively the Sum of One Shilling for every Inspection, and the further Sum of One Shilling for every Hour during which such Inspection shall continue after the First Hour, and at the Rate of Sixpence for every One hundred Words of such Copy or Extract; and the said Maps, Plans, Sections, and Books of Reference, and the said Corrections and Certificates of Corrections thereof, or any Copy thereof respectively, or of so much thereof respectively as shall relate to any Matter which may be in question, certified to be a true Copy by the respective Clerks of the Peace or Town Clerks who have made the same, shall be admitted as Evidence in all Courts of Law, Equity, or elsewhere, as fully and for all the like Intents as if this Act had not been passed.

8 & 9 Vict.
cc. 16., 18.,
and 20. in-
corporated
with this
Act.

XX. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall, save so far as the Clauses thereof respectively are expressly varied or excepted by this Act, be incorporated with this Act.

Interpreta-
tion of
Terms.

XXI. Unless there be in the Subject or Context something repugnant to or inconsistent with such Construction, the several Words and Expressions to which by the Acts wholly or partially incorporated with this Act Meanings are assigned, shall have in this Act the same respective Meanings.

XXII. The

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XXII. The Capital of the Company shall be their existing Capital of Three hundred and forty-two thousand two hundred and eighty-seven Pounds Ten Shillings, together with the additional Amount by this Act authorized to be created by Shares, making a total Capital of Four hundred and twenty thousand Pounds.

XXIII. Every Person and Corporation who immediately before the Commencement of this Act was possessed of or entitled to any Sum or Sums of transferable or Capital Stock of the Company, or to One or more Share or Shares in the Capital of the Company hereby dissolved, shall in respect thereof be possessed of or entitled to a like Amount of transferable Stock of, or (as the Case may be) a like Number of Shares of the same nominal Value in the Capital of the Company, and such Stock and Shares are respectively hereby vested in such Persons and Corporations accordingly, and shall confer on the Holders thereof the same Rights and Interests, and the like Priorities of Dividend or Interest, as they would have enjoyed in respect thereof if this Act had not been passed, save in so far as such Rights or Interests may be expressly altered by this Act.

Proprietors of Stock or Shares in the dissolved Company to have the same Interest in the Company.

XXIV. The Certificates of the Stock and Shares created under the Powers of the recited Acts, or any of them, and which shall be existing and valid at the Time of the Commencement of this Act, shall respectively be the Certificates of the Stock and Shares respectively created by this Act in substitution of such old Stock and Shares; and it shall not be necessary for or required of the Company to issue fresh Certificates in respect of such Stock or Shares, except under the Provisions of "The Companies Clauses Consolidation Act, 1845," in Cases where such Certificates shall be worn out or damaged, or lost or destroyed.

Certificates of old Stock and Shares to apply to the new Shares.

XXV. All Persons and Corporations in whom any of the said new or substituted Stock or Shares shall become vested under the Provisions aforesaid shall stand and be possessed of every such Sum of Stock, and of every such Share, upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances, as the Trusts, Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances upon and to which the original Sum or Sums of Stock, Share or Shares, for which such new Stock or Shares shall have been substituted, was or were subject and liable immediately before the Commencement of this Act, and so as to give effect to and not revoke or prejudicially affect any Deed, Will, or other Instrument disposing of or affecting such original Sum or Sums of Stock, Share or Shares, respectively.

New Stock and Shares to be subject to the same Trusts as the old.

XXVI. All

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Power to
cancel un-
issued
Shares.

XXVI. All Shares in the Capital of the Company hereby dissolved which at the Time of the Commencement of this Act shall not have been issued, and in respect of which no Person is named in the Register of Shareholders of the same Company as Owner thereof, shall be cancelled, and shall be deemed not to have been created, and the Directors of the Company shall not make any Call or receive any Money thereon or in respect thereof, and shall not issue, sell, or dispose of any such Shares.

Certain
forfeited
Shares can-
celled.

XXVII. All Shares in the Company hereby dissolved, which at the Time of the Commencement of this Act have been forfeited, and the Forfeiture of which has been confirmed, shall on the Commencement of this Act be and the same are hereby cancelled, and all Rights, Claims, and Demands in respect thereof, of the several Persons who at the Time of such Forfeiture were the Proprietors of such Shares, shall be and are hereby absolutely extinguished.

Power to
raise addi-
tional Capital
by Creation
of new
Shares, &c.

XXVIII. The Company from Time to Time may, with the Consent of Three Fifths at least of the Votes of the Shareholders of the Company present, in Person or by Proxy, at any General Meeting of the Company, create and issue Shares to such an Amount as with the existing Capital of the Company shall make up the full Capital of the Company to the Sum of Four hundred and twenty thousand Pounds, and such Shares shall be created and issued at such Times, upon such Terms and Conditions, either of One Class and with like Privileges, or of several Classes and with different Privileges, with such guaranteed preferential, fixed, terminable, or other Dividends or Interest, and to such Persons, as may be determined by the Order of any General Meeting of the Company specially convened for the Purpose: Provided always, that it shall not be lawful for the Company to guarantee Dividend or Interest upon any such Shares at a Rate exceeding Five Pounds *per Centum per Annum*; provided also, that all the Shares of the same Class shall be of like Amount, and all the Shares of the same Class shall confer like Privileges and bear a like Dividend or Interest.

Amount of
new Shares
and Calls
thereon.

XXIX. The Amount of every new Share created by virtue of this Act shall be Fifty Pounds, or such other Amount as shall by the Resolution creating such Shares be defined, and the Directors may from Time to Time fix as they shall think fit the Amount and Times of Payment of the Calls on the new Shares: Provided always, that the Calls on any such new Shares shall be made at no less Interval than Three Months, and that the Amount of every Call be not more than One Fourth of the Amount of such Shares, and that the total Calls in any Year do not exceed Three Fourths of the Amount of each Share.

XXX. At

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XXX. At any Time or Times after the Commencement of this Act, instead of proceeding to forfeit any Shares in the Company, it shall be lawful for the Directors, with the Authority of Three Fifths at least of the Votes of the Shareholders of the Company present in Person or by Proxy at any General Meeting of the Company specially convened for the Purpose, in any Case where in their Opinion any Shares if sold would not produce a sufficient Sum to discharge the Arrears of Calls thereon, to agree with the Holder thereof for the Surrender of the same to the Company on such Terms as the Directors shall think fit; and after such Surrender, which may be made by Deed Poll under the Hand and Seal of the Holder, in which the Consideration shall be truly stated, and such Deed Poll being duly stamped with the full and proper Stamp Duty in respect of such Consideration, the Shares so surrendered shall be cancelled, and all Shares which may heretofore under the like Circumstances have been surrendered to the Company shall in like Manner be cancelled, and the respective Holders of such Shares shall thenceforth cease to have any Right, Title, or Interest therein or in the Company in respect of such Shares.

Power to Directors to agree with Shareholders in arrear for a Surrender of their Shares instead of forfeiting same.

XXXI. In all Cases where any Share shall after the Commencement of this Act be declared forfeited, and such Declaration of Forfeiture shall be confirmed at a General Meeting of the Company in manner prescribed by "The Companies Clauses Consolidation Act, 1845," and Notice thereof shall be given to the Owner of the Shares forfeited, by Letter from the Secretary of the Company, either delivered to such Owner or sent by Post to or left at his Place of Abode or Business as described in the Shareholders Address Book, of such Forfeiture, and that (in case the Arrears of Calls and Interest due thereon shall not be paid within the Space of One Calendar Month from the Date of such Notice) such Share will be cancelled, then in case such Arrears and Interest shall not be paid within such last-mentioned Period, and the Market Price of Shares of the same Class in the Borough of *Newcastle-upon-Tyne* upon which the same Amount shall have been called shall then or at any Time during the said Period of One Calendar Month be less than the Arrears of Calls and Interest due in respect of such Share, the same Share shall be cancelled; and a Declaration in Writing made by some credible Person not interested before any Justice, or before any Master of the High Court of Chancery or Commissioner to administer Oaths in Chancery in *England*, stating that a Sum of Money sufficient to pay the Arrears of Calls and the Interest due in respect of such Share could not be obtained for the same according to the Market Price of Shares in the Borough of *Newcastle-upon-Tyne*, shall be sufficient Evidence of the Facts therein stated, and the Holder of such Share shall from and after the making of such Declaration be precluded from all Right,

Forfeited Shares which cannot be sold may be cancelled.

[Local.]

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Title,

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Title, or Interest therein; but nevertheless such Forfeiture and Cancellation shall not affect or alter the Liability of the last Proprietor of any such Share to pay to the Company the Arrears of Calls and Interest due in respect of such Share, after deducting therefrom the Market Value of such Share according to the Market Price of Shares in the Borough of *Newcastle-upon-Tyne* at the Time of such Cancellation as aforesaid, or the Powers of the Company to enforce Payment thereof by Action.

Company
may issue
new Shares
in lieu of
Shares for-
feited, sur-
rendered, or
cancelled.

XXXII. In lieu and instead of any Shares so surrendered, forfeited, or cancelled as aforesaid, it shall be lawful for the Company from Time to Time, with the Approbation of Three Fifths at least of the Votes of the Shareholders present in Person or by Proxy at any General Meeting of the Company specially convened for that Purpose, to create and issue such new Shares, of such Amount, and with such Preference or Priority and Amount of Dividend or Interest, not exceeding the Rate of Six Pounds *per Centum per Annum*, to such Persons, and generally on such Terms and Conditions, as by the Order of any such Meeting shall be determined: Provided always, that the aggregate Amount to be raised by the Issue of any such new Shares shall not exceed the aggregate Amount left unpaid on the old Shares at the Time of such Surrender, Forfeiture, or Cancellation thereof.

Any existing
Preference
not to be
affected.

XXXIII. No Creation of Shares by virtue of this Act shall affect any Preference or Priority in the Payment of Interest or Dividend on any Shares or Stock which may have been granted by the Company in pursuance of, or which may have been confirmed by, any Act of Parliament passed prior to the passing of this Act, or which may otherwise be lawfully subsisting.

Interest not
to be paid on
Calls paid up.

XXXIV. It shall not be lawful for the Company out of any Money authorized by this Act or any other Act relating to the Company to be raised by Calls in respect of Shares, or by the Exercise of any Powers 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: Provided always, that 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 of "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Receipts for
Persons
under Disa-
bility.

XXXV. The Receipt of the Guardian of any Shareholder being a Minor, or the Committee of any Shareholder being an Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for any Money payable to such Shareholder.

XXXVI. It

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XXXVI. It shall be lawful for the Company from Time to Time, after the whole of the new Capital authorized by this Act shall have been subscribed and One Half thereof paid up, to borrow on Mortgage or Bond any further Sum or Sums of Money not exceeding in the whole (inclusive of such Sums as immediately before the Commencement of this Act were due or owing, or authorized to be raised on Mortgage or Bond by the Company hereby dissolved) the Sum of One hundred and thirty-five thousand Pounds.

Power to borrow on Mortgage or Bond.

XXXVII. Provided always, That nothing herein-before contained shall be held or construed to affect the Validity of any Mortgage upon the Undertaking of the Company hereby dissolved, or any Part or Parts thereof, or any Bond of such Company, which shall be subsisting at the Time of the Commencement of this Act, nor to alter or affect the Rights or Priorities of the Holders of any such Bonds or Mortgages in respect of such Bonds or Mortgages respectively, but that all such Bonds and Mortgages shall continue, and all such Rights and Priorities shall remain, as if this Act had not been passed, the Company being in respect of such Bonds and Mortgages substituted for or considered identical with the Company hereby dissolved; and all Mortgages and Bonds granted under the recited Acts or any of them, and in force at the Time of the Commencement of this Act, shall during the Continuance thereof, and according to their respective Priorities, have Priority over all Mortgages and Bonds granted under this Act.

Act not to affect Validity of existing Bonds or Mortgages.

XXXVIII. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on their Mortgages, or any of them, by the Appointment of a Receiver; and the Amount to authorize a Requisition for a Receiver shall not be less than Twenty thousand Pounds.

Arrears may be enforced by Appointment of a Receiver.

XXXIX. 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.

XL. Every Part of the Moneys by this Act authorized to be raised by Shares or by Mortgage or Bond shall be applied, first, in paying the Costs and Expenses of obtaining and passing this Act, and incident thereto; secondly, in paying and discharging the Debts incurred

Application of Monies raised under Act.

The Maryport and Carlisle Railway Act, 1855.

incurred by the Company hereby dissolved, with respect to the Improvements so effected by that Company in their Undertaking as aforesaid; and the Residue shall be applied only in carrying into execution the Objects and Purposes of this Act.

First and
other Meet-
ings.

XLII. The First Ordinary Meeting of the Company shall be held within Three Months after the Commencement of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Month of *February* or *March* and in the Month of *August* or *September* in every Year.

Quorum for
General
Meetings.

XLII. The Quorum for a General Meeting shall be Twelve or more Shareholders holding together in their own Right Stock or Shares to an aggregate Amount equal to Fifteen thousand Pounds of the Share Capital of the Company actually paid up.

Scale of
Votes.

XLIII. At all General Meetings of the Company every Shareholder shall have One Vote for every Fifty Pounds of Share Capital up to One thousand Pounds of Share Capital held by him, and he shall have an additional Vote for every Two hundred and fifty Pounds of Share Capital beyond the first Thousand Pounds of Share Capital held by him: Provided always, that any Amount of Share Capital less than Fifty Pounds shall not confer a Vote.

Number and
Qualification
of Directors.

XLIV. The Number of Directors shall be any Number not exceeding Twelve or less than Five, and the Qualification of a Director shall be the Possession in his own Right or in right of his Wife of Stock or Shares of the Company on which the Amount of Five hundred Pounds at least shall have been paid up.

First Direc-
tors of the
Company.

XLV. The several Persons who at the Time of the Commencement of this Act are Directors of the Company hereby dissolved shall be the First Directors of the Company, and shall retire from Office in the like Rotation as if this Act had not passed.

Quorum.

XLVI. The Quorum of a Meeting of Directors shall be Three.

Power to
make and
maintain cer-
tain Works
authorized
by former
Acts accord-
ing to depo-
sited Plans.

XLVII. And whereas Plans and Sections of the several Railways which immediately before the passing of this Act formed the Undertaking of the Company hereby dissolved, and are mentioned in the Schedule next following, showing the then intended Situation and Levels thereof respectively, and also Books of Reference to such Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in, through, or into which the same were respectively intended to pass and be constructed, were deposited with the Clerk of the Peace of the County of *Cum-berland*,

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berland, in the several Years in the said Schedule mentioned ; (that is to say,)

Description of Railway.	Year of Deposit.
The Main Line of the Maryport and Carlisle Railway -	1836 and 1842.
The Branch at Carlisle from Bogfield to the Lancaster and Carlisle Railway - - - - -	1850.

Therefore, subject to the Provisions of this Act, it shall be lawful for the Company to continue, make, or complete, and maintain, regulate, and work, the said Railways, (subject nevertheless to such Alterations and Abandonment in, of, or relating to the same or some Parts thereof respectively as shall or may have been effected by the Company under the Authority of the recited Acts or any of them,) and to enter upon, take, and use such of the Lands delineated on the said Plans and described in the said Books of Reference as shall be necessary for such Purpose, and as shall not already be vested in the Company, and which Railways are as follow :

A Main Line of Railway, with the Works and Conveniences connected therewith, commencing at the Harbour and Port of *Maryport* in the Township of *Ellenborough* in the Parish of *Dearham*, near to the Site of a certain Coal Steath or Shed formerly there situate, the Property of *Elizabeth Pocklington Senhouse* Wife of *Joseph Pocklington Senhouse* Esquire, and passing from the South Side of the said Harbour through the Parishes, Townships, and Places in the Schedule next following; (that is to say,)

The Parish of	The Township or Place of	The Parish of	The Township or Place of
Dearham - {	Ellenborough. Dearham.	Wigton - {	Waverton (otherwise called Waverton High and Low). West Woodside. Wigton. Micklethwaite. Crofton and Whinnow. Thursby. East Woodside. Cumdivock. Dalston. Buckabank, West. Cummersdale. Blackhall, High. Blackhall, Low. Botchergate.
Cross Canonby- {	Maryport. Birkby. Crosby.	Thursby - {	
Gilerux - -		Westward -	
Plumbland - {	Low Leathes. Arkleby.	Dalston - {	
Aspatria - {	Allerby. Oughterside. Aspatria and Brayton.	St. Mary, Carlisle	
Bromfield - {	Langrigg. Crookdake.	St. Cuthbert, Carlisle. {	

all in the County of *Cumberland*, and terminating by a Junction with the *Newcastle-upon-Tyne and Carlisle* Railway at or
[Local.] 12 P near

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near a certain Field called *Bogfield*, heretofore belonging to *Eleanor* the Wife of *Henry Dundas Maclean* Esquire, in the Township of *Botchergate* in the Parish of *Saint Cuthbert, Carlisle*, and now the Property of the Company hereby dissolved:
 A Railway, with the Works and Conveniences connected therewith, from the first-mentioned Railway at or near the said Field called *Bogfield*, and terminating by a Junction with the *Lancaster and Carlisle* Railway at the Crossing of *Crown Street*, all in the said Township of *Botchergate* :

Provided nevertheless, that whenever any of the said Plans and Books of Reference shall have been duly corrected since the Deposit thereof by any Intervention and Certificate of Justices, it shall be lawful for the Company to enter upon, take, and use the Lands necessary for such Railways, Works, and other Conveniences, according to the Correction made in such Plans and Books of Reference: Provided also, that nothing in this Enactment contained shall confer upon the Company any Powers of entering upon, taking, or using Lands, or for the Completion of Works, other than such Powers as were vested in them at the Time of the Commencement of this Act.

New Works
to be made
according to
deposited
Plans and
Sections,
and on Lands
described in
Book of
Reference.

XLVIII. And whereas Plans and Sections, showing the Situation of the intended Branch Railways, Enlargements of the existing Railway, and other Works, Stations, and Conveniences, and the Lands intended to be taken or which may be taken for the Purposes thereof, together with Sections of the proposed Works, and a Book of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in or through which the same are intended to pass or may be made, have been deposited with the Clerk of the Peace of the County of *Cumberland* for the Purposes of this Act: Therefore the Company may (subject to the Provisions of this Act) make and maintain the intended Branch Railways, Enlargements of the existing Railway, and other Works, Stations, and Conveniences herein-after mentioned in the Situation and upon the Lands delineated on the said Plans and described in the said Book of Reference, and as to the proposed Works according to the Levels and within the Limits of Deviation respectively shown on those Plans and Sections, and may enter upon, take, and use such of those Lands as they may require for the Purposes aforesaid, and which intended new Works, Stations, and Conveniences are as follows; (that is to say,)

In the Township of *Ellenborough*, Parish of *Dearham* :

A Branch Railway, with all proper Works and Conveniences connected therewith, commencing at or near a Timber Yard situate on the South Side of the Harbour of *Maryport*, now or late in the Occupation of *Joseph Nicholson*, and now or late belonging to *Joseph Pocklington Senhouse* Esquire and
Elizabeth

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Elizabeth his Wife, and terminating by a Junction with the existing Railway of the Company at or near the *Ropery* Skew Bridge, which carries that Railway over the public Highway leading to and from the Harbour of *Maryport*:

Another Branch Railway, with all proper Works and Conveniences connected therewith, commencing at or near the South-east Corner of the proposed new Floating Dock of the *Maryport* Harbour Trustees, and terminating by a Junction with the existing Railway of the Company at or near the *Ropery* Skew Bridge aforesaid:

Another Branch Railway, with all proper Works and Conveniences connected therewith, commencing at or about Two hundred Feet from the South-west Corner (measuring in a Northerly Direction) of the said proposed new Floating Dock, and terminating by a Junction with the existing Railway of the Company at or near the *Ropery* Skew Bridge aforesaid:

Such Drops, Hurries, Communications, and other Conveniences for the Conveyance, Shipment, and Landing of Coals and other Goods from and to the existing and proposed Railways of the Company at the said proposed new Floating Dock as the Company may deem necessary:

A Widening and Enlargement of the existing Railway of the Company, commencing on their Railway at or near a certain other Skew Bridge which carries the Turnpike Road leading to and from *Maryport* and *Workington* respectively over the existing Railway of the Company, and terminating at or near another Bridge which carries the Turnpike Road leading to and from *Maryport* and *Cockermouth* respectively over the Railway of the Company, together with a new Passenger and Goods Station and other Works and Conveniences in connection with such Widening and Enlargement:

In the Township of *Waverton High*, Parish of *Wigton*:

A Widening and Enlargement of the existing Railway of the Company, commencing on their Railway at or near the *Leegate* Station, and terminating at or near the Post on their Railway marking Fourteen Miles from *Maryport*:

In the Township of *East Woodside*, Parish of *Westward*:

The Construction of a new Passenger and Goods Station at or near the Post on the existing Railway of the Company, marking Nineteen Miles and Three Quarters from *Maryport*:

And it shall be lawful for the Company, upon the Lands already vested in them, to lay down such new and additional Rails, and to provide such other Conveniences in connexion therewith, and to do such other Things, as they may deem necessary for converting their Railway into a double Line throughout.

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Company
not to con-
struct Works
below High-
water Mark.

XLIX. Provided always, That the Company shall not construct any Works or exercise any Powers upon or over any Lands situate below High-water Mark at ordinary Spring Tides.

Period for
compulsory
Purchases
limited.

L. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of the new Railways, Works, and other Conveniences by this Act authorized to be made, shall not be exercised after the Expiration of Two Years from the Commencement of this Act.

Land for
extraordi-
nary Pur-
poses.

LI. The Quantity of Land to be purchased by Agreement by the Company under this Act for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Twenty Acres.

Period for
Completion
of Works.

LII. If the Branch Railways by this Act authorized to be constructed be not completed within Three Years from the Commencement of this Act, then on the Expiration of such Period the Powers by this Act granted to the Company for executing the same Railways respectively shall cease to be exercised, except as to so much of the same as shall then be completed.

Dividends
suspended if
new Rail-
ways not
opened with-
in a limited
Period.

LIII. If the Branch Railways by this Act authorized to be constructed shall not be completed and opened for public Traffic within Three Years from the Commencement of this Act, then and from thenceforth it shall not be lawful for the Company to declare or pay any Dividend on the ordinary or unguaranteed Capital of the Company until the said Branch Railways shall have been completed and open for public Traffic.

Regulations
as to con-
structing a
Bridge.

LIV. The proposed Enlargement of the existing Railway in the Township of *Ellenborough* in the Parish of *Dearham* shall be carried over the public Road numbered 6 on the deposited Plans, by means of a Bridge or Arch, so as to leave a clear Headway under the Soffit of the Bridge of Twelve Feet at least.

Justices may
appoint
Special
Constables.

LV. It shall be lawful for any Two Justices to appoint such fit and proper Persons as shall be nominated to them by any Three of the Directors of the Company to be Special Constables within and upon the Railways and other Works of the Company and within One Mile thereof; and every Person so appointed shall be sworn in by any such Justices duly to execute his Office; and every Person so appointed and sworn shall have all such Powers, Authorities, Protections, and Privileges in respect of the Execution of his Duty as Constables have or are subject to by the Laws of the Realm; and any Three or more of the Directors of the Company may dismiss any such

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such Constable from his Office, and upon such Dismissal all Powers Authorities, Protections, and Privileges vested in such Constable shall (excepting as to any Acts or Omissions occurring before such Dismissal) cease.

LVI. The Company may demand and receive in respect of the Tolls : Use of the Railway any Rates, Tolls, and Charges not exceeding the Rates, Tolls, and Charges following ; (that is to say,)

For every Passenger conveyed in a First-class Carriage, Twopence *per* Mile ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny *per* Mile : for Passengers ;

For every Passenger conveyed in a Second-class Carriage, One Penny Halfpenny *per* Mile ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny *per* Mile :

For every Passenger conveyed in a Third-class Carriage, One Penny *per* Mile ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny *per* Mile :

And with respect to Horses, Cattle, Carriages, and Goods as follows : for Cattle, Goods, &c.

For every Horse, Mule, and other Beast of Draught or Burden, Threepence *per* Mile ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny *per* Mile :

For Cattle, One Penny Halfpenny *per* Head *per* Mile ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny *per* Head *per* Mile :

For Calves, Pigs, Sheep, and small Animals, One Penny each *per* Mile ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Farthing each *per* Mile :

For every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, Fourpence *per* Mile, and an additional 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 *per* Mile :

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads,

[*Local.*]

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Charcoal,

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Charcoal, Pig Iron, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, and Salt, and for all Coal, Slack, Cannel, Coke, Culm, and Cinders, One Penny Halfpenny *per Ton per Mile*; and if conveyed in Carriages belonging to the Company, an additional Sum not exceeding One Farthing *per Ton per Mile*:

For Sheet Iron, Hoop Iron, Bar Iron, and all other similar Descriptions of Wrought Iron, Twopence *per Ton per Mile*; and if conveyed in Carriages belonging to the Company, an additional Sum not exceeding One Halfpenny *per Ton per Mile*:

For Sugar, Corn, and other Grain, Malt, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, Deals, Nails, Anvils, Vices, and Chains, Twopence Halfpenny *per Ton per Mile*; and if conveyed in Carriages belonging to the Company, an additional Sum not exceeding One Halfpenny *per Ton per Mile*:

For Cotton and other Wools, Drugs, manufactured Goods, Manchester Packs, and Metals (except Iron), Threepence *per Ton per Mile*; and if conveyed in Carriages belonging to the Company, an additional Sum not exceeding One Halfpenny *per Ton per Mile*:

For Fish, Feathers, Canes, Cochineal, Household Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, Fourpence *per Ton per Mile*; and if conveyed in Carriages belonging to the Company, an additional Sum not exceeding One Halfpenny *per Ton per Mile*.

Tolls for
propelling
Power.

LVII. Subject to the Provisions of this Act, the Tolls which the Company may demand and receive for the Use of Engines for propelling Carriages on the Railway shall not exceed One Halfpenny *per Mile* for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be demanded and received.

Maximum
Rates of
Charges.

LVIII. The maximum Rate of Charge to be made by the Company for the Conveyance of Passengers along the Railway, 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, shall not exceed the following Sums, which the Company are hereby empowered to demand and receive; (that is to say,)

For every Passenger conveyed in a First-class Carriage, Threepence *per Mile*:

For every Passenger conveyed in a Second-class Carriage, Twopence *per Mile*:

For every Passenger conveyed in a Third-class Carriage, One Penny Halfpenny *per Mile*:

And

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And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company for the Conveyance thereof along the Railway, including the Tolls for the Use of the Railway 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, when such Services, or any of them, are or is performed by the Company, shall not exceed the following Sums, which the Company are hereby empowered to demand and receive; (that is to say,)

For Cattle
and Goods.

For any Horse, Mule, and other Beast of Draught or Burden, Fourpence *per Mile*:

For Cattle, Twopence Farthing *per Head per Mile*:

For Calves, Pigs, Sheep, and small Animals, One Penny Halfpenny each *per Mile*:

For every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, Fivepence *per Mile*; and an additional Sum of One Penny Halfpenny *per Mile* for every additional Quarter of a Ton which any such Carriage may weigh:

For all Dung, Compost, and all Sorts of Manure, Lime, and Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Pig Iron, Stone for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, and Salt, and for all Coal, Slack, Cannel, Coke, Culm, and Cinders, Twopence *per Ton per Mile*:

For Sheet Iron, Hoop Iron, Bar Iron, and all other similar Descriptions of Wrought Iron, Twopence Three Farthings *per Ton per Mile*:

For Sugar, Corn, and other Grain, Malt, Flour, Hides, Dyewoods, Earthenware, Timber Staves, Deals, Nails, Anvils, Vices, and Chains, Threepence *per Ton per Mile*:

For Cotton and other Wools, Drugs, manufactured Goods, Manchester Packs, and Metals (except Iron), Threepence Halfpenny *per Ton per Mile*:

For all Articles, Matters, and Things not herein-before specified, Fourpence Halfpenny *per Ton per Mile*:

Provided always, that the Company shall not be compellable to provide Waggon or Carriages for the Conveyance of Coal, Cannel, Slack, Culm, Coke, or Cinders; but where such Waggon 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.

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Regulations
as to Tolls.

LIX. The following Regulations and Provisions shall be applicable to the fixing of the Tolls and Charges by this Act authorized to be demanded and received by the Company :

For Persons, Animals, or Goods conveyed on the Railway for a less Distance than Six Miles, the Company may demand and receive Tolls and Charges as for Six Miles :

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand and receive Tolls and Charges on Animals and Goods for such Fraction in proportion to the Number of Quarters of a Mile contained therein ; and if there be a Fraction of a Quarter of Mile such Fraction shall be deemed a Quarter of a Mile ; and in respect to Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile :

For any Passengers conveyed upon the Railway any fractional Part of a Penny may be charged as a Penny :

For a Fraction of a Ton the Company may demand and receive Tolls and Charges 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 :

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.

LX. With respect to small Packages, and single Articles of great Weight, notwithstanding the Rate of Tolls by this Act otherwise prescribed, the Company may demand and receive the Tolls following ; (that is to say,)

For the Carriage of small Parcels on the Railway or any Part thereof as follows :

For any Parcel not exceeding Seven Pounds in Weight, Eightpence :

For any Parcel exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, One Shilling :

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, One Shilling and Fourpence :

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, Two Shillings :

And for any Parcel exceeding Fifty-six Pounds and not exceeding Five hundred Pounds in Weight, the Company may demand and receive any Sum which they 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,

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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 and receive such Sum as they think fit, not exceeding One Shilling *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 and receive such Sum as they think fit.

LXI. Provided always, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special Trains that may be required to be run upon the Railway, but shall apply only to the Ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Restriction
as to Charges
not to apply
to Special
Trains.

LXII. Nothing in this Act contained shall be held to prevent the Company from taking any increased Charge 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 of the Conveyance of such Goods, other than small Parcels, by Passenger or other Trains, or by reason of any other special Service performed by the Company in relation thereto.

Company
may take
increased
Charges by
Agreement.

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

Passengers'
Luggage.

LXIV. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the recited Acts authorized to be made from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways or the better and more impartial Audit of the Accounts of Railway Companies 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 and Charges and of the Rates for small Parcels respectively authorized by this Act.

Railways,
&c. not
exempt from
Provisions of
present and
future General
Acts.

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The **SCHEDULE** to which the foregoing Act refers,

**SECTIONS OF THE REPEALED ACTS WHICH ARE TO
REMAIN IN FORCE.**

SECTION OF THE ACT OF 1843.

SECTION 42.

Provision for
Contract
made with
Mr. Sen-
house.

Provided always, That nothing in this Act contained shall extend, or be deemed or construed to extend, to enable the said Company to take for the Purpose of making and erecting Hurries or Steaths, or for any other Purposes connected with the said Railway, any Messuages, Lands, Tenements, or Hereditaments belonging to Joseph Pocklington Senhouse, of Netherhall, in the County of Cumberland, Esquire, and Elizabeth his Wife, other than such as are specified and described in the Agreement already made and entered into by the said Company with the said Joseph Pocklington Senhouse and Elizabeth his Wife, under the Authority of the said recited Act of the First Year of the Reign of Her present Majesty, unless with the Consent of the said Joseph Pocklington Senhouse and Elizabeth his Wife, their Heirs and Assigns, in Writing.

SECTIONS OF THE ACT OF 1844.

SECTION 12.

Saving the
Rights of the
Newcastle-
upon-Tyne
and Carlisle
Railway
Company.

Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the Newcastle-upon-Tyne and Carlisle Railway Company; but all the Rights, Privileges, and Franchises of the said Company, and all such Powers, Authorities, and Provisions in the several Acts relating thereto, are saved and reserved to the said last-mentioned Company as if this Act had not been passed.

SECTION 13 (Part of).

Saving the
Rights of the
Lancaster
and Carlisle
Railway.

Provided also, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, and Authorities vested in the said Lancaster and Carlisle Railway Company, under an Act passed in the present Session of Parliament; but all Rights, Privileges, and Franchises

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chises of the said Company, and all such Powers, Authorities, and Provisions in the said last-mentioned Act contained, are saved and reserved to the said last-mentioned Company as if this Act had not been passed.

SECTIONS OF THE ACT OF 1851.

SECTION 28.

That, notwithstanding anything in this Act contained to the contrary, it shall not be lawful for the said Maryport and Carlisle Railway Company, or for any other Company, or for any Person or Persons, either permanently or temporarily, to enter upon, interfere with, take, or use any of the Railways, Lands, or Property of the Lancaster and Carlisle Railway Company, or of the Caledonian Railway Company, or belonging to those Companies jointly, without the Consent of those Companies respectively under their respective Common Seals first had and obtained on each Occasion; and that any Communications or Junctions between any Station of the Maryport and Carlisle Railway Company and any Station of the said last-mentioned Companies, or of either of them, made with such Consent as aforesaid, shall be made and thereafter at all Times maintained by the said Maryport and Carlisle Railway Company in the most substantial Manner, and by means of Connection Rails and Points of the Construction and laid in the Manner most approved, from Time to Time, and to the entire Satisfaction of the Engineers of those Companies respectively.

Property of Lancaster and Carlisle, and Caledonian Companies not to be taken without their Consent.

SECTION 29.

That nothing in this Act contained, or to be done in pursuance of this Act, shall diminish, prejudice, alter, or take away any of the Rights, Privileges, Franchises, or Authorities of or vested in the said Lancaster and Carlisle Railway Company, or the said Caledonian Railway Company, or those Companies jointly, but all such Rights, Privileges, Franchises, and Authorities are hereby expressly saved and reserved.

Saving the Rights of the Lancaster and Carlisle and Caledonian Companies.

SECTION 30.

And whereas by an Agreement dated the Second Day of April One thousand eight hundred and fifty-one, under the respective Common Seals of the Maryport and Carlisle Railway Company and of the Lancaster and Carlisle and Caledonian Railway Companies, the said Lancaster and Carlisle and Caledonian Companies agreed for the Term of Nine hundred and ninety-nine Years after the Date thereof to allow the said Maryport and Carlisle Company and their Successors to use a certain Station at Carlisle called the Citadel Station, and particularly described in a Plan to the said Agreement annexed, as their Terminal Station for Passengers and other Coaching Traffic

Agreement with the Lancaster and Carlisle and Caledonian Companies confirmed.

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Traffic at Carlisle aforesaid, with the Accommodations, upon the Terms, and under and subject to the Payments and Restrictions in the said Agreement mentioned; and by the same Agreement, for the Consideration therein mentioned, the said Lancaster and Carlisle and Caledonian Companies agreed to grant and the said Maryport and Carlisle Company agreed to accept a Lease from the said Lancaster and Carlisle and Caledonian Companies of a Parcel of Land, in the Plan annexed to the said Agreement coloured Green, for the like Term of Nine hundred and ninety-nine Years, at the nominal yearly Rent of One Peppercorn, for the Accommodation of the Mineral and Goods Traffic of the said Maryport and Carlisle Company, in the Manner and subject to the Restrictions in the said Agreement also mentioned: Be it therefore enacted, That, save so far as by this Act is otherwise provided, the said Agreement shall be and the same is hereby ratified and confirmed, and shall be valid and binding on the said Companies respectively, and their respective Successors and Assigns, for the Term of Nine hundred and ninety-nine Years in the said Agreement mentioned, and it shall be lawful for the said Lancaster and Carlisle and Caledonian Companies to grant, and for the said Maryport and Carlisle Company to accept and take, such Lease of the said Land coloured Green in the said Plan accordingly.

SECTION 31.

Provision
for the Inter-
change of
Passenger
Traffic.

Provided, that, notwithstanding anything in this Act or in the said recited Agreement contained, the Maryport and Carlisle Company shall, if and as long as they shall be thereto required by the Newcastle-upon-Tyne and Carlisle Railway Company, interchange Passengers and Coaching Traffic with the said last-mentioned Company, at the nearest Station on the Maryport and Carlisle Railway, not being less than One Mile and a Half from the Citadel Station at Carlisle, any such Traffic to be brought thither or to be taken thence to or from some Point on the Newcastle-upon-Tyne and Carlisle Railway, not being less than One Mile and a Half from the Citadel Station, such Traffic to be carried by the said Newcastle-upon-Tyne and Carlisle Railway Company, who shall be at liberty to use for that Purpose such Portion of the Maryport and Carlisle Railway as may be necessary, upon Payment of such Tolls as the said Maryport and Carlisle Railway Company may be entitled to charge for the Use of the said Portion of Railway, the same being computed according to actual Distance and not as Six Miles.

SECTION 32.

For regula-
ting the
Crossing of
the New-

And whereas the said new Branch Railway by this Act authorized will cross on a Level the Line of the Newcastle-upon-Tyne and Carlisle Railway: Be it enacted, That for the Prevention of Accidents

at

The Maryport and Carlisle Railway Act, 1855.

at the said Crossing the said Maryport and Carlisle Railway Company shall at their own Costs and Charges erect and maintain a Signal Post or Signal Posts at or near the Point of crossing of the said Newcastle-upon-Tyne and Carlisle Railway by the said Maryport and Carlisle Railway, and appoint and keep a competent Person or Persons at all Times to watch the same, and to make such Signals as to the stopping of Trains or diminishing the Speed thereof, or otherwise, as may be necessary; and it shall be lawful for the Railway Commissioners to make and enforce from Time to Time as they may think proper such Rules, Regulations, and Conditions in relation to the said Crossing, and to require the said Company to erect and maintain such Signal Posts at the said Points of crossing as they may think necessary for the Safety of the Public; and if the said Company shall fail to erect or maintain such Signal Post or Signal Posts, or to provide for the working of the same as aforesaid, or to observe and abide by any such Rule, Regulation, or Condition 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.

castle-upon-Tyne and Carlisle Railway.

SECTION 33.

That the Maryport and Carlisle Railway Company shall not, unless with the Consent of the Newcastle-upon-Tyne and Carlisle Railway Company under their Common Seal, deviate more than Ten Yards from the Line laid down on the said Plans so deposited as aforesaid at the Point or Place where the same crosses the Line of the Newcastle-upon-Tyne and Carlisle Railway.

Not to deviate at the Crossing.

SECTION 34.

That nothing in this Act contained shall authorize the Maryport and Carlisle Railway Company to take by way of compulsory Purchase for any Purpose whatsoever any of the Railways, Lands, or Property of the Newcastle-upon-Tyne and Carlisle Railway Company, nor for any other Purpose, save for the Purpose of the Crossing of the Line of the Newcastle-upon-Tyne and Carlisle Railway hereby authorized, to enter upon, interfere with, or use any of such Railways, Lands, or Property.

The Maryport and Carlisle Railway Company not to purchase any Lands of the Newcastle and Carlisle Railway Company.

SECTION 35.

That nothing in this Act contained or to be done in pursuance of this Act shall diminish, prejudice, alter, or take away any of the Rights, Privileges, Franchises, or Authorities of or vested in the Newcastle-upon-Tyne and Carlisle Railway Company, but all such Rights, Privileges, Franchises, and Authorities are hereby expressly saved and reserved.

Saving of the Rights of the Newcastle-upon-Tyne and Carlisle Railway Company.

[Local.]

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SECTION

The Maryport and Carlisle Railway Act, 1855.

SECTION 36.

Maryport
and Carlisle
Railway
Company to
be liable for
Accidents
arising from
Crossing.

That the Maryport and Carlisle Railway Company shall at their own Expense maintain and keep a constant Watch at the Crossing of the Line of the Newcastle-upon-Tyne and Carlisle Railway hereby authorized, and shall be alone responsible for all Accidents which shall happen by reason of their using such Crossing.

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