



ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. civ.

An Act for conferring further Powers upon the *Furness* Railway Company for the Construction of Works and the Acquisition of Lands, and otherwise in relation to their Undertaking; to provide for the Abandonment of the Railway authorized by “*The Furness and Lancaster and Carlisle Union Railway Act, 1865*,” and the Dissolution of the *Furness and Lancaster and Carlisle Union Railway Company*; and for other Purposes. [20th June 1867.]

WHEREAS the *Furness* Railway Company (in this Act called “the Company”) are willing, and it is expedient that they be authorized, to make and maintain the Line of Railway and Works following; (that is to say,)

[*Local.*]

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A Railway

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A Railway commencing in the Township of *Beetham* in the Parish of *Beetham* in the County of *Westmoreland* by a Junction with the *Furness* Railway, and terminating in the Township of *Hincaster* in the Parish of *Heversham* in the said County by a Junction with the *Lancaster and Carlisle* Railway :

An Alteration or Diversion within the Township or Division of *Carnforth* in the County Palatine of *Lancaster* of a certain public Road known as *Mill Lane* or the *Warton and Carnforth* Road :

A Bridge for carrying the Railway or a Siding of the Company across the said *Mill Lane* or *Warton and Carnforth* Road when diverted :

A Cut in the Townships or Divisions of *Yarlsdale* and *Hawcoat*, or One of them, in the Parish of *Dalton-in-Furness* in the said County Palatine of *Lancaster*, for conveying Water to the Docks of the Company at *Barrow* :

And whereas it is expedient that the Company be empowered to purchase and take, by Compulsion or Agreement, for Station Accommodation and other Purposes of their Undertaking, additional Lands and Houses in the several Townships and Parishes following ; (that is to say,)

Millom Below, Chapel Sucken, Millom, Whicham, Bootle, Muncaster, Drigg, Gosforth, Preston Quarter, Hensingham, and Saint Bees, all in the County of *Cumberland* :

And whereas it is expedient that the Company be authorized to raise further Monies for the Purposes of this Act, and for the general Purposes of their Undertaking: And whereas it is expedient that other Provisions be made with respect to the Company: And whereas Plans and Sections of the Railway and Works by this Act authorized showing the Lines and Levels thereof respectively, the Plans also showing the Lands to be taken under the Powers of this Act, together with Books of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Westmoreland*, *Lancaster*, and *Cumberland*, and those Plans, Sections, and Books of Reference are in this Act referred to as "the deposited Plans, Sections, and Books of Reference:" And whereas by "The *Furness and Lancaster and Carlisle* Union Railway Act, 1865," (in this Act called "the *Furness and Lancaster* Act,") the *Furness and Lancaster and Carlisle* Union Railway Company (in this Act called "the *Furness and Lancaster* Company") were incorporated with a Capital of Eighty thousand Pounds, and with Power to borrow on

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on Mortgage Twenty-six thousand six hundred Pounds, and were authorized to make and maintain the *Furness and Lancaster and Carlisle Union* Railway (in this Act called “the *Furness and Lancaster* Railway”), being a Railway from the *Furness* Railway in the Parish of *Beetham* in the County of *Westmoreland* to the *Lancaster and Carlisle* Line of the *London and North-western* Railway Company in the Parish of *Heversham* in the same County: And whereas the *Furness and Lancaster* Company have not begun the making of the *Furness and Lancaster* Railway: And whereas the Railway by this Act authorized will form a Substitute for the *Furness and Lancaster* Railway, and it is expedient, and the *Furness and Lancaster* Company are willing, that the Construction of that Railway should be abandoned, and that the *Furness and Lancaster* Company be dissolved, and their Affairs wound up: And whereas the Objects of this Act cannot be attained 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; (that is to say,)

1. This Act may be cited for all Purposes as “The *Furness* Railway Act, 1867.” Short Title.

2. “The Lands Clauses Consolidation Act, 1845,” “The Lands Clauses Consolidation Acts Amendment Act, 1860,” “The Railways Clauses Consolidation Act, 1845,” and Part I. (relating to the Construction of a Railway) of “The Railways Clauses Act, 1863,” and the Clauses and Provisions of “The Companies Clauses Consolidation Act, 1845,” with respect to the following Matters, (that is to say,) the Distribution of the Capital of the Company into Shares, the Transfer or Transmission of Shares, the Payment of Subscriptions and the Means of enforcing the Payment of Calls, the Forfeiture of Shares for Nonpayment of Calls, the Remedies of Creditors of the Company against the Shareholders, the borrowing of Money by the Company on Mortgage or Bond, the Conversion of borrowed Money into Capital, the Consolidation of Shares into Stock, and the Provision to be made for affording Access to the Special Act by all Parties interested, and Part I. (relating to Cancellation and Surrender of Shares) and Part II. (relating to additional Capital) of “The Companies Clauses Act, 1863,” are (except where expressly varied by this Act) incorporated with and form Part of this Act. 8 & 9 Vict. cc. 16., 18., & 20., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118. incorporated.

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Interpreta-
tion of
Terms.

3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; the Expression "the Company" shall mean the *Furness Railway Company*, the Expression "the Railway" shall mean the Line of Railway by this Act authorized, the Expression "the *Furness and Lancaster Act*" shall mean "The *Furness and Lancaster and Carlisle Union Railway Act, 1865*," the Expression "the *Furness and Lancaster Company*" shall mean the *Furness and Lancaster and Carlisle Union Railway Company*, the Expression "the *Furness and Lancaster Railway*" shall mean the *Furness and Lancaster and Carlisle Union Railway*, and the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Power to
take Lands.

4. Subject to the Provisions of this Act and of the Acts and Parts of Acts incorporated herewith, the Company may from Time to Time enter upon, take, and use and appropriate all or any of the Lands defined on the deposited Plans and described in the deposited Books of Reference.

Power to
make Rail-
way and
Works.

5. Subject to the Provisions of this Act and of the Acts and Parts of Acts incorporated herewith, the Company may make and maintain in the Lines and according to the Levels shown on the deposited Plans and Sections the Railway, Alteration, or Diversion of Road, Bridge, and Cut herein-after described, with all proper Sidings, Stations, Approaches, Works, and Conveniences connected with the Railway, and all incidental Works and Conveniences, and may enter upon, take, and use such of the Lands delineated upon the deposited Plans and described in the deposited Books of Reference as may be required for the Purpose. The Railway, Alteration, or Diversion of Road, Bridge, and Cut herein-before referred to and authorized by this Act are,—

(1.) A Railway, 5 Miles 1 Furlong and 3·20 Chains in Length, commencing in the Township of *Beetham* in the Parish of *Beetham* in the County of *Westmoreland* by a Junction with the *Furness Railway*, and terminating in the Township of *Hincaster* in the Parish of *Heversham* in the said County by a Junction with the *Lancaster and Carlisle Railway*:

(2.) An

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(2.) An Alteration or Diversion within the Township or Division of *Carnforth* in the Parish of *Warton* in the County Palatine of *Lancaster* of the public Road known as *Mill Lane* or the *Warton and Carnforth* Road, to commence at the Bridge carrying the *Furness and Midland* Railway over the said Road, and to terminate near the Engine Shed and Shops of the Company abutting on the said Road:

(3.) A Bridge situate in the said Township of *Carnforth* and Parish of *Warton* for carrying the Railway or a Siding of the Company across the said *Mill Lane* or *Warton and Carnforth* Road when diverted:

(4.) A Cut situate in the Townships or Divisions of *Yarlsdale* and *Hawcoat*, or One of them, in the Parish of *Dalton-in-Furness* in the County Palatine of *Lancaster*, commencing at or near a Point where the Stream known as the *Roose* or *Abbey Beck* passes under the public Road leading between *Newbarns and Roose* Station, and terminating at or near a Point on the South Side of and adjoining the public level Crossing on the *Furness* Railway known as the *Salthouse* level Crossing:

And the Railway shall, with respect to Tolls, Rates, and Charges, and for all other Purposes whatsoever, be Part of the Undertaking of the Company, and the Company may demand and take in respect of the Railway a like Amount of Tolls, Fares, Rates, and Charges as by "The *Furness* Railway (*Whitehaven* Amalgamation) Act, 1866," the Company are authorized to demand and take with respect to their other Railways.

6. The Company may from Time to Time raise for the Purposes of this Act and for the general Purposes of their Undertaking, by the Creation of new Shares, such Sums of Money as they shall think necessary, not exceeding in the whole Two hundred thousand Pounds, and may create and issue such Shares as ordinary or preferential Shares, or partly as ordinary and partly as preferential Shares, as they may think fit. Power to raise additional Capital.

7. The Company shall not issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth of the Amount of such Share shall have been paid in respect thereof. Shares or Stock not to issue until One Fifth paid up.

8. Except as is by this Act otherwise provided, the Share Capital created by the Company under this Act, and the Shares therein and Except as otherwise provided, the new Shares
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to be subject
to same Inci-
dents as ordi-
nary Shares.

the Holders of those Shares respectively, shall be subject and entitled to the same Powers, Provisions, Forfeitures, Liabilities, Rights, Privileges, and Incidents whatsoever in all respects as if that Capital were Part of the now existing Share Capital of the Company, and those Shares were Shares in that Capital.

Dividends on
new Shares
created by
Company.

9. Every Person who becomes entitled to a Share created by the Company under this Act shall in respect of the same be a Shareholder in the Company, and shall be entitled to a Dividend, either preferential or ordinary, as the Case may be, with the other Holders of Shares of the same Class or Description, proportioned to the whole Amount from Time to Time called and paid on such new Shares.

Power to
borrow on
Mortgage.

10. The Company may from Time to Time borrow on Mortgage for the Purposes of this Act any Sums not exceeding in the whole Sixty-six thousand three hundred Pounds, but no Part thereof shall be borrowed until the whole Capital of Two hundred thousand Pounds is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the Capital which the Company are by this Act authorized to raise by the Creation of new Shares has been issued and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given (which Certificate shall be sufficient Evidence thereof).

Repealing
Provisions of
former Acts
with respect
to Appoint-
ment of
Receiver.

11. Every Provision in any Act passed before the present Session of Parliament whereby the Company is authorized to raise Money by borrowing for the Purposes of their Undertaking with respect to the Appointment of a Receiver for enforcing Payment by the Company of Arrears of Principal Money, or Principal Money and Interest, shall be and the same is hereby repealed, but without Prejudice to any Appointment which may have been made, or to the Continuance of any

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any Proceedings which may have been commenced, prior to the passing of this Act under any such Provision.

12. The Mortgagees of the Company may enforce Payment of Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages, by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall not be less than Ten thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

13. All Mortgages or Bonds granted or to be granted by the Company in pursuance of the Powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages and Bonds have Priority over any Mortgages to be granted by virtue of this Act.

Former Mortgages to have Priority.

14. All Monies raised under this Act, whether by Shares or by borrowing, shall be applied for the Purposes of this Act and the general Purposes of the Company only, and the Company may apply to the Purposes of this Act any of the Monies which they now have in their Hands, or which they have Power to raise by Shares or Mortgage by virtue of any Acts relating to the Company, and which may not be required for the Purposes to which they are by any such Acts made specially applicable.

Application of Monies raised under this Act.

15. The Quantity of Land to be taken by the Company for the extraordinary Purposes mentioned in "The Lands Clauses Consolidation Act, 1845," shall not exceed One Acre.

Lands for extraordinary Purposes.

16. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Powers for compulsory Purchases limited.

17. The Railway shall be completed within Five Years from the passing of this Act, and upon the Expiration of that Period the Powers by this Act granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Limiting Time for Completion of Railway.

18. Subject

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Power to cross a certain Road on the Level.

18. Subject to the Provisions in "The Railways Clauses Consolidation Act, 1845," and in Part I. (relating to the Construction of a Railway) of "The Railways Clauses Act, 1863," contained in reference to the crossing of Roads on the Level, the Company may in the Construction of the Railway carry the same with a double Line of Railway only across and on the Level of the Road next herein-after mentioned ; that is to say,

No. on deposited Plan.	Township and Parish.	Description of Road.
9	Beetham	Public Road.

Inclination of Road.

19. In altering for the Purposes of this Act the Road next herein-after mentioned the Company may make the same of any Inclination not steeper than the Inclination herein-after mentioned in connexion therewith ; that is to say,

No. on deposited Plan.	Township and Parish.	Description of Road.	Intended Inclination.
100	Township of Haverbrack and Parish of Beetham.	Public Road	1 in 12.

Span of Bridges.

20. The Company may make the Arches of the Bridges for carrying the Railway over the Roads next herein-after mentioned of any Span not less than the Span herein-after mentioned in connexion with those Roads respectively ; that is to say,

No. on deposited Plan.	Township and Parish.	Description of Road.	Span.
100	Township of Haverbrack, Parish of Beetham.	Public Road	12 Feet.
4	Township of Heversham with Milnthorpe, Parish of Heversham.	Public Road	20 Feet.

Width of certain Bridges over Railway.

21. The Width between the Parapets of the Bridges or Viaducts for carrying the Roads next herein-after mentioned over the Railway may be of the respective Dimensions herein-after mentioned in connexion with those Roads respectively ; that is to say,

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No. on deposited Plan.	Township and Parish.	Description of Road.	Width of Roadway.
58	Township and Parish of Beetham.	Public Road -	15 Feet.
67a	Township and Parish of Beetham.	Public Road -	15 Feet.
9	Township and Parish of Beetham.	Public Road -	20 Feet.
47	Township of Heversham with Milnthorpe, Parish of Heversham.	Public Road -	20 Feet.
77	Township of Hincaster, Parish of Heversham.	Public Road -	20 Feet.

22. Whereas the Railway hereby authorized as laid down on the deposited Plans would pass in the Parishes of *Beetham* and *Heversham* through *Dallam Tower* Estate, the Property of *George Edward Wilson* Esquire, in a Manner very objectionable to him, and the Company are willing and have agreed, for the Purpose of avoiding such Injury, to make a partial Diversion of the Railway through the said Estate: Therefore the Company shall make and maintain the Railway in a Line North of the Bridge carrying the Turnpike Road over the said River *Beela* at *Dallam Tower* at a Distance not nearer to the said Bridge than Thirteen Chains, and in other respects in the Position and Direction of the Black-centre Line shown on the said deposited Plans, and between the Point marked on the said Plans Two Miles One Furlong and Five Chains and the Point marked thereon Two Miles Five Furlongs and Five Chains the Company shall not divert the said centre Line as shown on the said Plans.

Diversion of Railway through the Lands of G. E. Wilson, of *Dallam Tower*.

23. In order that the View from *Dallam Tower* Estate may be obstructed as little as practicable, the Company shall construct that Portion of the Railway which lies between the Points marked Two Miles Three and a Half Furlongs and Two Miles Five Furlongs Three and a Half Chains on the deposited Plans on the said *Dallam Tower* Estate on such Arches and Pillars, and in such Manner, but according to the Levels shown upon the deposited Plans and Sections, as the Surveyor for the Time being of the said *George Edward Wilson* and the Engineer of the Company may agree upon, and, failing such Agreement, as the President for the Time being of the Institution of Civil Engineers in *England* shall determine: Provided that the Company shall be entitled to deviate from the Levels in accordance with the Provisions of "The Railways Clauses Consolidation Act, 1845."

Part of Railway on *Dallam Tower* Estate to be on Arches or Pillars.

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Company not
to deviate
Railway
North of
Saint John's
Cross.

24. The Company shall not deviate the centre Line of Railway shown on the deposited Plans so that the same would pass to the North of the House called *Saint John's Cross* shown upon the said Plans.

Company to
fill up severed
Portions of
Bay of More-
cambe.

25. The Company shall fill up to the Level of the existing public Road from *Dixes Inn* to *Arnside* such Portion of *Morecambe Bay* lying between the Point marked on the said Plans One Mile Six Furlongs and Five Chains, and the Point marked thereon Two Miles and Five Chains, as after the Construction of the Railway may be severed from the Bay by the said Railway.

Company to
make Station
near the
Bridge over
the Beela.

26. The Company shall in connexion with the Railway make and maintain at some Point thereon within One Mile of the aforesaid Bridge carrying the aforesaid Turnpike Road over the River *Beela* near *Dallam Tower* a Passenger and Goods Station, at which One Train at least shall stop daily for the Purpose of putting down and taking up Passengers and Goods.

Weir to be
constructed
over the
River Beela.

27. In order in some Degree as far as possible to keep out of view from the *Dallam Tower* Estate the Railway and Works connected therewith, the Company shall make and maintain in a good, substantial, and workmanlike Manner, at a Point Seven Chains North of the Turnpike Bridge over the River *Beela*, a Water-tight Weir or Dam across the said River of such Height as the Surveyor of the said *George Edward Wilson* and the Engineer of the *Furness Railway Company* may agree upon, and, failing such Agreement, as the President for the Time being of the Institution of Civil Engineers in *England* shall determine, the said *George Wilson* indemnifying the Company against any Claims for Compensation which may be made on the Part of other Persons (if any) interested in the Water of the said River.

Penalty for
Non-comple-
tion of Rail-
way within
Period
limited for
Completion
thereof.

28. If the Railway is not completed and opened for public Traffic within the Period by this Act prescribed, the Company shall be liable to a Penalty of Fifty Pounds *per Day*, to be recoverable as a Debt due to the Crown, for every Day after the Period so limited until the Railway shall be completed and opened for public Traffic: Provided always, that no Penalty shall accrue in respect of any Time during which it shall appear by a Certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the Railway by unforeseen Accident or Circumstances beyond their Control; but the Want of sufficient Funds shall not be held to be a Circumstance beyond the Control of the Company.

29. The

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29. The Company may from Time to Time divert into the Cut by this Act authorized the Waters of the said Stream called or known as the *Roose* or *Abbey Beck*, and of the Springs, Brooks and Tributaries thereof.

Power to divert the Waters of the *Roose* or *Abbey Beck*.

30. When and so soon as the Alteration or Diversion by this Act authorized of the Road known as *Mill Lane* or the *Warton and Carnforth* Road is completed the Company may stop up and discontinue as a public Thoroughfare, and extinguish all Rights of Way over and appropriate for the Purposes of the Company, so much of the Site of the existing Road as will be rendered unnecessary by reason of such Alteration or Diversion as they shall think fit.

Power to stop up Portion of *Mill Lane*.

31. The *London and North-western* Railway Company may for the Purposes of Traffic of all kinds run over and use, with their Engines and Carriages of every Description, and with their Servants and Officers, the Railway by this Act authorized, together with all Stations, Sidings, Water, Watering Places, Booking Offices, Works, and Conveniences whatsoever from Time to Time forming Part of or provided for Use in connexion with the Railway; and the Terms and Conditions and the Regulations to be observed and fulfilled for and in respect of such User by the *London and North-western* Railway Company, and the Tolls, Rates, and Charges to be paid in respect of the User, shall be such as may from Time to Time be agreed on between the Company and the *London and North-western* Railway Company, or as, in case of Difference, shall be determined by Arbitration according to "The Railway Companies Arbitration Act, 1859," by a single Arbitrator, to be, in case of Difference, appointed by the Board of Trade.

Power to *London and North-western* Company to run over Railway.

32. The *Furness and Lancaster* Company may and shall abandon the Construction of the *Furness and Lancaster* Railway, and on and after the passing of this Act the *Furness and Lancaster* Company shall, except only as is by this Act expressly provided, be absolutely freed from all Obligation with respect to the making and maintaining of the *Furness and Lancaster* Railway.

Furness and Lancaster Company to abandon their authorized Railway.

33. The Abandonment by the *Furness and Lancaster* Company, under the Authority of this Act, of the *Furness and Lancaster* Railway shall not prejudice or affect the Right of the Owner or Occupier of any Land to receive Compensation, in accordance with the Provisions in that Behalf of "The Lands Clauses Consolidation Act, 1845," for any Damage occasioned by the Entry of the Company on such Land for the Purpose of surveying and taking Levels, or probing or

Compensation for Damage to Land by Entry, &c. for Purposes of Railway abandoned.

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or boring to ascertain the Nature of the Soil, or setting out of the Line of Railway, and shall not prejudice or affect the Right of the Owner or Occupier of any Land which may have been temporarily occupied to receive Compensation, in accordance with the Provisions in that Behalf of "The Railways Clauses Consolidation Act, 1845," for such temporary Occupation, or for any Loss, Damage, or Injury which may have been sustained by such Owner or Occupier by reason thereof, or of the Exercise as regards such Land of any of the Powers contained in the last-mentioned Act or the *Furness and Lancaster Act*.

Compensation to be made in respect of Railway abandoned.

34. Where before the passing of this Act any Contract may have been entered into or Notice given by the *Furness and Lancaster Company* for the purchasing of any Land for the Purposes of or in relation to any Portion of the *Furness and Lancaster Railway* authorized to be abandoned by this Act, full Compensation shall be made by the *Furness and Lancaster Company* to the Owners and Occupiers or other Persons interested in such Lands for all Injury or Damage sustained by them respectively by reason of the Purchase not being completed pursuant to the Contract or Notice, and the Amount and Application of the Compensation shall be determined in manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of Compensation paid for Lands taken under the Provisions thereof.

Release of *Furness and Lancaster Company's* Deposit.

35. On the passing of this Act Section 32 of "the *Furness and Lancaster Act*" is by this Act repealed, and the Court of Chancery may and shall at any Time after the passing of this Act, on Application by the *Furness and Lancaster Company*, or on their Behalf by Petition in a summary Way, order and direct that the Sum of Seven thousand four hundred and twenty-eight Pounds New Three Pounds *per Centum* Annuities (being the Balance of the Sum of Thirteen thousand two hundred Pounds like Annuities deposited with the Court of Chancery in respect of the Application to Parliament for "the *Furness and Lancaster Act*") now standing in the Name of the Accountant General of that Court in trust in the Matter of an Account entitled "*Ex parte* a projected Undertaking proposed to be " authorized by a Bill to be cited as the *Furness and Yorkshire Union Railway*," together with any Interest or Dividends which may have accrued or may accrue after the passing of this Act on the said Sum of Seven thousand four hundred and twenty-eight Pounds New Three Pounds *per Centum* Annuities, may be transferred and paid to the *Furness and Lancaster Company*, or to such Person or Persons as that Company may appoint in that Behalf.

36. Forth-

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36. Forthwith after the passing of this Act the *Furness and Lancaster* Company shall proceed to wind up their Affairs, and shall realize all their Property and Effects, and shall out of the net Proceeds thereof pay, satisfy, and discharge all their Debts, Liabilities, and Engagements, and all Claims and Demands whatsoever against them, and, subject to the Payment, Satisfaction, and Discharge of the Debts, Liabilities, and Engagements of and the Claims and Demands against the *Furness and Lancaster* Company, they shall divide and pay the Monies (if any) remaining in their Hands to and among the Shareholders of that Company according to their respective Interests therein, or to their respective Executors, Administrators, Successors, or Assigns.

Provision for winding up Affairs of Furness and Lancaster Company.

37. When all the Debts, Liabilities, and Engagements of the *Furness and Lancaster* Company are paid, satisfied, and discharged, and their net Monies (if any) are distributed in accordance with the Provisions of this Act, and their Affairs are wound up, that Company shall be by this Act dissolved, and shall thenceforth wholly cease to exist.

Dissolution of Furness and Lancaster Company.

38. Except as is by this Act expressly provided, nothing in this Act shall take away, lessen, alter, or prejudice any of the Estates, Rights, Interests, Powers, or Privileges of the Company.

Saving of Rights.

39. The Company shall not, 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 borrowing, pay to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him: Provided always, that the Company may pay 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 mentioned.

No Interest or Dividend to be paid out of the Capital.

40. The Company shall not, out of any Money by this Act or any other Act authorized to be raised by the Company, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament from Time to Time 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 make any other Railway, or to execute any other Work or Undertaking.

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

41. Nothing in this Act contained shall exempt the Railways of the Company from the Provisions of any General Act relating to Railways,

Railways not exempt from Provisions of

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present and
future
General
Acts.

Railways, or to the better or 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, nor from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Rates for small Parcels, in respect of the Railways authorized by this or any other Act relating to the Company.

Expenses of
Act.

42. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incidental thereto, shall be paid by the Company.

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