



CHAPTER cciii.

An Act to confer further powers on the Stafford and Uttoxeter Railway Company; and for other purposes. A.D. 1879.

[11th August 1879.]

WHEREAS the Stafford and Uttoxeter Railway Company (hereinafter called the Company) were incorporated by the Stafford and Uttoxeter Railway Act, 1862, with powers to make and maintain a railway from Stafford, in the county of Stafford, to Uttoxeter, in the same county, with a branch therefrom to connect with the Colwich branch of the North Staffordshire Railway:

25 & 26 Vict.
c. clxxv.

And whereas the said railway has been constructed and opened for traffic:

And whereas further powers were conferred on the Company by the Stafford and Uttoxeter Railway Act, 1865:

28 & 29 Vict.
c. xlv.

And whereas it is expedient that such arrangements should be authorised and such powers conferred with reference to other undertakings and companies, as are herein-after expressed:

But the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

1. This Act may be cited as the Stafford and Uttoxeter Railway Act, 1879. Short title.

2. The Company and all companies and persons lawfully working or using their railway or any part thereof may run over and use, with their engines and carriages, waggons, officers, and servants, and for the purposes of traffic of all kinds, the portions of railway herein-after mentioned; (that is to say,)

Power to use
portions of
certain
railways.

(1.) So much of the railway or railways belonging to the North Staffordshire Railway Company as lies between the junction or junctions of the Stafford and Uttoxeter Railway

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therewith, in the county of Stafford, and the goods station at Burton, in the same county, belonging to the North Staffordshire Railway Company and the London and North-western Railway Company, or one of them ;

(2.) So much of the Great Northern Railway as lies between the junction of that railway with the Horninglow branch of the North Staffordshire Railway and the Burton Station of the Great Northern Railway ;

(3.) So much of the Great Northern Railway as lies between the Great Northern Railway Company's station at Derby and the same Company's station at Burton, together with so much of the North Staffordshire Railway as is situate between the station of the Great Northern Railway Company at Derby and the stations of the Great Northern Railway Company and the North Staffordshire Railway Company respectively at Burton, as may be necessary to enable the Company and such other companies and persons working or using the railway of the Company as aforesaid to run their engines, carriages, and waggons to and from the said stations at Derby and Burton respectively, or some or one of them ;

(4.) The stations at Burton and Derby (but excepting always the said station at Burton belonging to the North Staffordshire Railway Company and the London and North-western Railway Company, or one of them) and all other stations, sidings, platforms, points, signals, junctions, and roads, water, engines, engine sheds, standing room for engines, booking and other offices, warehouses, machinery, works, and conveniences connected with such portions of railway as aforesaid ;

and the companies to whom such respective portions of railway and stations belong shall for the purposes of such traffic make provision for the use of booking offices at the stations on such portions of railway.

Use of rail-
way by
North Staf-
fordshire
Railway
Company.
Terms of
such user.

3. The North Staffordshire Railway Company shall have the right to use the undertaking of the Company for the purpose of traffic of all kinds.

4. The terms, conditions, and regulations to which the Company and such other companies as aforesaid shall be subject in respect of the said use, and the tolls or other considerations to be paid by them for the same, shall, if not agreed upon between them and the respective companies to whom such portions of railway and stations may belong, be from time to time determined by an arbitrator to be

appointed by the Board of Trade, on the application of any of the said companies, and the decisions of such arbitrator shall be binding and conclusive on all the parties in difference, and the costs and expenses of such arbitration shall be defrayed as the arbitrator shall direct; and any of the said companies who shall refuse or neglect to perform, observe, and conform to any decision given or regulation made by any such arbitrator in the premises shall forfeit and pay to such person or company as the arbitrator shall determine any sum not exceeding fifty pounds for every such offence, and twenty pounds for every day during which such offence shall continue.

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5. In exercising the powers herein-before granted it shall not be lawful for the Company, or any other company lawfully using their railway, unless with the consent in writing of the company to whom the portion of railway belongs or is leased, to take up at any station of the same last-mentioned company, upon any portion of railway herein-before specified, any passengers, parcels, animals, goods, or minerals, and to deliver the same at another station of the same company; and if the Company or any such other company violate this enactment, they shall for every such violation pay to the company to whom the portion of railway belongs or is leased fifty pounds by way of penalty.

Protecting
local traffic.

6. The Great Northern Railway Company may run over and use, with their engines and carriages and waggons, and with their officers and servants, and for the purposes of traffic of all kinds, the undertaking and railways of the Company, and the stations, warehouses, sidings, works, and conveniences which are connected therewith, and the provisions herein-before contained with respect to the use by the Company of the portion of the Great Northern Railway and the stations connected therewith, and with respect to the terms of such use, and for protection of local traffic, shall apply to the use by the Great Northern Railway Company of the undertaking of the Company, as fully as though those provisions were repeated expressly with relation to such last-mentioned use.

Use of rail-
way by
Great
Northern
Railway
Company.

7. Provided always, that in case the London and North-western Railway Company shall consider that there is not sufficient room at the Stafford Station for the use thereof by the Great Northern Railway Company under the powers of this Act or of the said Act of 1862, then that company, failing agreement with the Great Northern Railway Company, may, if and when they think necessary, apply to an arbitrator to be appointed by the Board of Trade, on the application of either of the two companies, and he shall determine and specify what additional extension, enlargement, or accommodation,

Provision as
to use of Staf-
ford Station.

A.D. 1879. — if any, of or at that station is required in consequence of such use and the effecting any such extension, enlargement, or accommodation, including the obtaining of all necessary powers in that behalf, shall be done by the London and North-western Railway Company, but at the cost of the Great Northern Railway Company.

Tolls for traffic conveyed partly on railway of the Company and partly on railways of other companies.

8. During the exercise of the running powers herein-before granted the railway of the Company and of such other companies respectively shall for the purposes of tolls and charges be considered as one railway; and in estimating the amounts of tolls and charges in respect of traffic conveyed partly on the railway of the Company and partly on the railways of such other companies for a less distance than three miles, tolls and charges may only be charged as for three miles; and in respect of animals and goods, for every quarter of a mile or fraction of a quarter of a mile beyond three miles, toll and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of animals or goods partly on the railway of the Company and partly on the railways of such other companies.

Company not exempt from provisions of present or future general Railway Acts.

9. Nothing in this Act contained shall exempt the Company or the railway of the Company from the provisions 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 or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels.

Expenses of Act.

10. All the costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company out of the first net proceeds accruing in respect of traffic on the railway of the Company which shall arise under the operation of this Act.