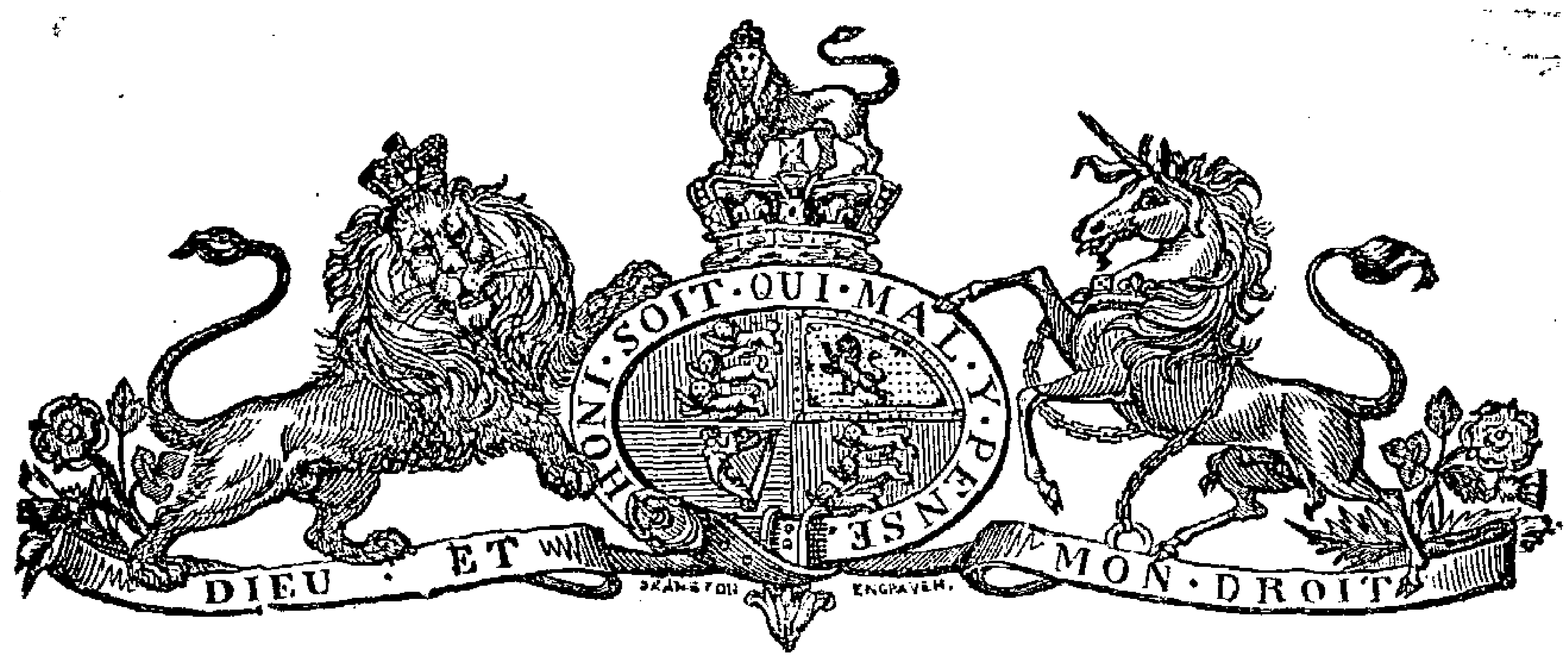


ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

****

Cap. lxxxiii.

An Act to enlarge the Powers of the *Lancashire and Yorkshire* Railway Company, and to amend the Acts relating to their Undertakings.

[29th *July* 1850.]

WHEREAS by the *Manchester and Leeds* Railway Act, 1836, the *Manchester and Leeds* Railway Company was incorporated, for the Purpose of making the Railway and Works in the said Act mentioned: And whereas further Powers were granted to the said Company by the several Acts following; that is to say, "The *Manchester and Leeds* Railway Act, 1837," "The *Manchester and Leeds* Railway Act, 1839," "The *Manchester and Leeds* Railway Act, 1841," "The *Manchester and Leeds* Railway Act, 1844," "The *Manchester and Leeds* Railway Act (No. 1.), 1845," "The *Manchester and Leeds* Railway Act (No. 2.), 1845," "The *Manchester and Leeds* Railway Act, 1846," "The *Manchester and Leeds* Railway Act (No. 1.), 1847," "The *Manchester and Leeds* Railway Act (No. 2.), 1847," "The *Manchester and Leeds* Railway Act (No. 3.), 1847," by which last-mentioned Act the Name of the said Company was changed to that of the *Lancashire and Yorkshire* Railway Company, "The *Lancashire and Yorkshire* Railway Act, 1848," and

"The *Lancashire and Yorkshire* Railway Act, 1849:" And whereas by "The *Ashton, Stalybridge, and Liverpool Junction* Railway Act, 1844," the *Ashton, Stalybridge, and Liverpool Junction* Railway Company were incorporated, with Power to make a Railway from *Manchester* to *Ashton-under-Lyne* and *Stalybridge;* and under the Provisions of the same Act the Undertaking and Powers of the last-mentioned Company became vested in the *Manchester and Leeds* Railway Company, and by "The *Ashton, Stalybridge, and Liverpool Junction* Railway Act, 1845," the *Manchester and Leeds* Railway Company were empowered to make a certain Extension of the said last-mentioned Railway: And whereas by "The *Manchester, Bolton, and Bury* Canal and Railway Act, 1831," the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway were incorporated, with Powers to make a Railway from *Manchester* to *Bolton* and *Bury*, and further Powers were granted to them by "The *Manchester, Bolton, and Bury* Canal and Railway Act, 1832," "The *Manchester, Bolton, and Bury* Canal and Railway Act, 1835," "The *Manchester, Bolton, and Bury* Canal and Railway Act, 1838," and "The *Manchester, Bolton, and Bury* Canal and Railway Act, No. 2., 1846;" and under the Provisions of "The *Manchester, Bolton, and Bury* and *Manchester and Leeds* Canal and Railways Act, 1846," their Undertakings and Powers became vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *Liverpool and Bury* Railway Act, 1845," the *Liverpool and Bury* Railway Company were incorporated, with Power to make a Railway from *Liverpool* to *Bury*, and further Powers were granted to them by "The *Liverpool and Bury* Railway Act, 1846;" and under the Provisions of "The *Liverpool and Bury* and *Manchester and Leeds* Railway Act, 1846," their Undertakings and Powers became vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *Huddersfield and Sheffield Junction* Railway Act, 1845," the *Huddersfield and Sheffield Junction* Railway Company were incorporated, with Powers to make a Railway from *Huddersfield* to *Penistone;* and under the Provisions of "The *Huddersfield and Sheffield Junction* and *Manchester and Leeds* Railways Act, 1846," their Undertakings and Powers have become vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *West Riding Union* Railways Act, 1846," the *West Riding Union* Railways Company were incorporated, with Powers to make the *West Riding Union* Railways; and under the Provisions of the same Act their Undertakings and Powers have become vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *Wakefield, Pontefract, and Goole* Railway Act, 1845," the *Wakefield, Pontefract, and Goole* Railway Company were incorporated, with Powers to make a Railway from *Wakefield* to *Goole;* and further Powers were granted to them by "The *Wakefield,*

Pontefract, and Goole Railway Branches Act, 1846," and "The *Wakefield, Pontefract, and Goole* Railway and Port of *Goole* Act, 1846;" and under the Provisions of the said Acts their Undertakings and Powers have become vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *Manchester and Southport* Railway Act, 1847," the *Manchester and Southport* Railway Company were incorporated, with Powers to make the *Manchester and Southport* Railway; and under the Provisions of the same Act their Undertakings and Powers, in the Event therein mentioned, will become vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *Oldham Alliance* Railway Act, 1847," the *Oldham Alliance* Railway Company were incorporated, with Powers to make the *Oldham Alliance* Railway; and under the Provisions of the same Act their Undertakings and Powers, in the Event therein mentioned, will become vested in the *Lancashire and Yorkshire* Railway Company: And whereas, under the Provisions of an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for vesting in the* Grand Junction *Railway Company and the* Manchester and Leeds *Railway Company the* North Union *Railway, and all the Works, Property, and Effects appertaining thereto,* the *North Union* Railway, and the Powers and Authorities of the *North Union* Railway Company, have become vested in the *London and North-western* and the *Lancashire and Yorkshire* Railway Companies: And whereas, under the Provisions of an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An. Act for making certain Lines of Railway in the West Riding of the County of* York, *to be called "The* Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole *Railway,"* certain Portions of the said last-mentioned Railways, with the Powers and Authorities of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company in respect thereof, have become vested in the said *Lancashire and Yorkshire* Railway Company for the Term of One thousand Years: And whereas by "The *Leeds Central* Railway Station Act, 1848," the *Lancashire and Yorkshire* Railway Company, in conjunction with the *Leeds, Dewsbury, and Manchester, Leeds and Thirsk,* and *Great Northern* Railway Companies, are authorized to make the *Leeds Central* Railway Station and Works connected therewith: And whereas, under the Provisions of the "*Lancashire and Yorkshire* and *London and North-western* Railways (*Preston and Wyre* Railway, Harbour, and Dock Vesting) Act, 1849," the Undertakings and Powers of the *Preston and Wyre* Railway, Harbour, and Dock Company have become vested in the *Lancashire and Yorkshire* and *London and North-western* Railway Companies: And whereas it is expedient that some of the Powers and Provisions contained in the said recited Acts or some of them should be altered, amended, and enlarged: May it therefore

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, That (unless there be something in the Subject or Context repugnant to such Construction), Words in this Act importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number, and Words importing the Masculine Gender shall include Females, and the Expression "the Company" shall mean "the *Lancashire and Yorkshire* Railway Company," and the Expression "the Railway" shall mean the Railways now vested in or belonging to the *Lancashire and Yorkshire* Railway Company, or which shall become vested in them by virtue of any Acts now in force or which shall be passed in the present Session of Parliament, including the Portions of Railways in which they are or by virtue of any such Act shall become interested jointly or in common with any other Company.

Interpretation of certain Terms.

Provisions of recited Acts applicable to this Act.

II. And be it enacted, That the several Acts herein-before recited (except so far as the same are altered or varied, or except where it is otherwise provided by this Act) shall, so far as they are applicable to the Subject of this Act, apply to and form Part of this Act.

Short Title of Acts.

III. And be it enacted, That in citing or referring to the said Act for vesting in the *Grand Junction* Railway Company and the *Manchester and Leeds* Railway Company the *North Union* Railway, and all the Works, Property, and Effects appertaining thereto, it shall be sufficient in all Cases to use the Expression "The *North Union* Railways Purchase Act, 1846;" and in citing or referring to the said Act for making certain Lines of Railway in the West Riding of the County of *York*, to be called "The *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway," it shall be sufficient in all Cases to use the Expression "The *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Act, 1846;" and in citing or referring to this Act it shall be sufficient in all Cases to use the Expression "The *Lancashire and Yorkshire* Railway Act, 1850."

Maximum Charge for Corn and Flour.

IV. And be it enacted, That, notwithstanding anything in the said recited Acts or any of them contained to the contrary, it shall be lawful for the Company, and they are hereby empowered, to demand and receive for the Conveyance of Corn and other Grain, Malt, and Flour along the Railway, (except on the Lines constructed under the Authority of the recited Act called "The *Wakefield, Pontefract, and Goole*

Goole Railway Act, 1845,") including the Tolls for the Use of the Railway and Waggons or Trucks and Locomotive Power, and every Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading, and for Delivery and Collection, and any other Service incidental to the Business or Duty of a Carrier, where such Services or any of them are or is performed by the Company, any Sum not exceeding the Sum of Two-pence Halfpenny *per* Ton *per* Mile.

Additional Tolls.

V. And be it enacted, That in addition to the Rates, Tolls, and Charges which the Company are or shall be authorized to demand and receive by virtue of any Acts now in force or which shall be passed in the present Session of Parliament for and in respect of the Use of the Railway, and of Carriages, Waggons, or Trucks, and for Locomotive Power, it shall be lawful for the Company and they are hereby empowered to demand and receive for all Persons, Matters, and Things (except Coal, Cannel, Culm, Coke, Cinders and Slack, Corn and other Grain, Malt, and Flour), conveyed along the Railway or any Part thereof for a Distance of Six Miles or upwards, any Sum not exceeding Twenty *per Cent.* upon the said Rates, Tolls, and Charges respectively so authorized as aforesaid, other than and except the Rates, Tolls, and Charges for Third-class Passengers in Parliamentary Trains.

Charge for fractional Sums.

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

Company may provide stationary Engines, and receive Tolls for same.

VII. And whereas the *Clifton* Branch of the *Lancashire and Yorkshire* Railway, authorized by the said "*Manchester, Bolton, and Bury* Canal and Railway Act, 1831," and a Branch authorized by "The *Lancashire and Yorkshire* Railway Act, 1849," connecting the same with the *Wardley* Branch of the *Manchester and Southport* Railway, are or may be partly constructed on Inclined Planes, which will require a more expensive Mode of Traction than the usual Locomotive

Power for the efficient working thereof: Be it enacted, That it shall be lawful for the Company and they are hereby empowered to demand and receive for and in respect of all Traffic conveyed over or upon such Inclined Planes respectively, in further Addition to the Tolls, Rates, and Charges so authorized as aforesaid, the Sum of Threepence for each Passenger, and Sixpence *per* Ton for Minerals or Goods; provided always, that if and so long as any Persons using the said Inclined Planes, or either of them, shall work their own Traffic over the same, which (subject to the Bye Laws of the Company) they are hereby authorized to do, by means of Horses or otherwise at their own Expense, such Persons shall not be subject to such additional Charge or Toll for or in respect of the said Inclined Planes.

As to Portions of Railway belonging to the Company and the East Lancashire and London and North-western Railways respectively.

VIII. And whereas by "The *Manchester and Leeds* Railway Act (No. 3.), 1847," after reciting that by "The *Liverpool, Ormskirk, and Preston* Railway Act, 1846," the *Liverpool, Ormskirk, and Preston* Railway Company (whose Undertakings and Powers by virtue of the last-mentioned Act are now vested in the *East Lancashire* Railway Company) were empowered to construct a Branch Railway (herein-after called the Dock Branch Railway) to commence by a Junction with the *Liverpool and Bury* Railway in the Township of *Kirkdale* in the Parish of *Walton-on-the-Hill* in the County of *Lancaster*, and to pass through the Parishes of *Kirkdale* and *Walton-on-the-Hill* and the Township and Parish of *Liverpool*, to terminate near the Junction of *Walton Street* and *Regent Road* in the said Township and Parish of *Liverpool*, and to purchase Lands for the Purposes thereof or in connexion therewith, and after providing for the Construction by the said *East Lancashire* Railway Company of the said Branch Railway and the Works connected therewith, and for the Payment by the *Manchester and Leeds*, now the *Lancashire and Yorkshire*, Railway Company of their Proportion of the Expense thereof, it is enacted, that on the Completion of the said Branch Railway and Works, and on full Payment by the *Lancashire and Yorkshire* Railway Company of the Monies payable by them in respect thereof as therein mentioned, the said Branch Railway, Lands, and Works shall be the joint Property of the said Two Companies, and shall be used, occupied, and enjoyed by them in common: And whereas, under and by virtue of "The *Huddersfield and Sheffield Junction* Railway Act, 1845," and "The *Huddersfield and Manchester* Railway and Canal (*Huddersfield* Diversion and *Cooper Bridge*) Branch Act, 1846," and an Agreement, recited and confirmed in the said last-mentioned Act, entered into between the *Huddersfield and Sheffield* Junction Railway Company and the *Huddersfield and Manchester* Railway and Canal Company, Provision was made for the Use of the Portion of the Railway of the last-mentioned Company lying between the Point of Junction therewith of the *Huddersfield and Sheffield*

Sheffield Junction Railway at *Paddock* and the Station at *Huddersfield*, including the *Huddersfield* Tunnel, and also of the Station of the said last-mentioned Company at *Huddersfield*, in common by the said Two Companies: And whereas the Undertakings and Powers of the *Huddersfield and Manchester* Railway and Canal Company are now vested in the *London and North-western* Railway Company, and by virtue of an Agreement entered into between the said last-named Company and the *Lancashire and Yorkshire* Railway Company, in pursuance of the *Lancashire and Yorkshire* Railway Act, 1849, the said Two Companies are entitled equally and in common to the Property, Use, and Enjoyment of the said Portion of Railway, and certain Parts of the said Station at *Huddersfield*, and the said *Lancashire and Yorkshire* Railway Company are entitled to the exclusive Property, Use, and Enjoyment of certain other Parts of the said Station: And whereas Doubts may arise whether the Company may lawfully levy Tolls, Rates, and Charges for the Use of the said Dock Branch Railway, and of the said last-mentioned Portion of Railway respectively; and it is expedient to obviate such Doubts: Be it therefore enacted, That it shall be lawful for the Company and they are hereby empowered to demand and receive for and in respect of all Persons, Matters, and Things conveyed by them along the said Dock Branch Railway, and for all Persons, Matters, and Things conveyed by them along the said last-mentioned Portion of Railway, and any Continuation thereof, into the said Station at *Huddersfield*, the Tolls, Rates, and Charges which by virtue of the said recited Acts and of this Act they are authorized to receive for Persons, Matters, and Things conveyed by them on their Railway.

Limiting Rates, &c. to be taken between Liverpool and Bolton.

IX. Provided always, and be it enacted, That nothing in this Act contained shall authorize the Company to demand or receive any higher Tolls, Rates, or Charges in respect of the *Liverpool and Bolton* Goods Traffic (including Parcels), as mentioned in the Twentieth Section of "The *Liverpool and Bury* Railway Act, 1846," according to the Copies thereof as printed by the Queen's Printer, or in respect of the loading, unloading, covering, warehousing, and Delivery thereof, in the Manner and to the Extent specifically mentioned in the same Section, than the Tolls, Rates, and Charges authorized to be taken in respect thereof respectively by "The *Liverpool and Bury* Railway Act, 1845," as amended by the said Twentieth Section of "The *Liverpool and Bury* Railway Act, 1846;" and nothing herein contained shall authorize the Company to receive in respect of any such Goods Traffic any higher Tolls, Rates, or Charges than the maximum Tolls, Rates, and Charges by this Act authorized to be taken by the said Company.

Tolls may be revised when Dividends

X. And be it enacted, That if at any Time hereafter the clear annual Profits divisible upon the subscribed and paid-up Capital Stock

amount to 8*l.* per Cent.

Stock of the Company, upon the Average of the Three then last preceding Years, shall equal or exceed the Rate of Eight Pounds for every Hundred Pounds of such paid-up Capital Stock, it shall be lawful for the Commissioners of Railways, upon giving to the said Company Three Calendar Months Notice in Writing of their Intention so to do, to revise the Scale of Tolls, Fares, and Charges limited by the said recited Acts and this Act, and to fix such new Scale of Tolls, Fares, and Charges applicable to such different Classes and Kinds of Passengers, Goods, and other Traffic on the Railways belonging to the said Company, as in the Judgment of the said Commissioners of Railways, assuming the same Quantities and Kinds of Traffic to continue, shall be likely to reduce the said annual divisible Profits to the said Rate of Eight Pounds in the Hundred, such revised Tolls, Rates, and Charges not being in any Case less than the Tolls, Rates, and Charges which the Company were authorized to demand and receive immediately before the passing of this Act.

Annual Account of Receipts and Expenditure to be transmitted to Overseers and Clerks of Peace.

XI. And be it enacted, That instead of the Provisions contained in the said recited Acts or any of them relating to the keeping and transmitting to Clerks of the Peace and Overseers of the Poor of Accounts in Abstract of Receipts and Expenditure, the Company shall every Year cause an annual Account in Abstract to be prepared, showing the Total Receipts and Expenditure of all Funds levied by virtue of the said recited Acts and this Act for the Year ending on the Thirty-first Day of *December* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited, and certified by the Directors or some of them, and by the Auditors, and shall, if required, transmit a Copy of the said Account, free of Charge, to the Overseers of the Poor of the several Parishes through which the Railway shall pass, and also to the Clerks of the Peace of the several Counties through which the Railway shall pass, on or before the Thirty-first Day of *March* then next, which last-mentioned Account shall be open to the Inspection of the Public at all seasonable Hours on Payment of One Shilling for every such Inspection: Provided always, that if the said Company shall omit to prepare or transmit such Account as aforesaid, if required so to do by any such Clerk of the Peace or Overseers of the Poor, they shall forfeit for every such Omission the Sum of Twenty Pounds.

Saving Rights of the East Lancashire Railway Company.

XII. Provided always, and be it enacted, That nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Exemptions, Powers, or Authorities vested in the *East Lancashire* Railway Company by any existing Act of Parliament, or under any Contract or Agreement now subsisting between the last-named Company and the *Lancashire and Yorkshire* Railway Company touching the Portion of the *Lancashire and Yorkshire* Railway

Railway between the Junction therewith of the *East Lancashire* Railway at *Clifton* and *Salford*, and the Portion of the said *Lancashire and Yorkshire* Railway between the Junction therewith of the *East Lancashire* Railway at or near *Walton-on-the-Hill* and *Liverpool*, and the Stations, Warehouses, Buildings, and Conveniences connected therewith respectively, but the same shall remain and be as good, valid, and effectual, to all Intents and Purposes whatsoever, as if this Act had not been passed.

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

XIII. And be it enacted, That it shall not be lawful for the Company, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament now in force or hereafter to be in force may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway, or execute any other Work or Undertaking.

Railways to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. 105.

XIV. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said present Majesty, intituled *An Act for regulating the Gauge of Railways*, and another Act was passed in the same Session, intituled *An Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect of the said Railway and Company so far as the same are applicable.

Railways not exempt from Provisions of future general Acts.

XV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, or to 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 of Fares and Charges authorized by the said recited Acts or this Act.

Expenses of Act.

XVI. And be it enacted, That the Expense of passing this Act, or preparatory or incidental thereto, shall be paid by the Company out of the first Monies that shall come to their Hands, in preference to any other Payments.

Public Act.

XVII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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