



ANNO SECUNDO

VICTORIÆ REGINÆ.

Cap. i.

An Act to amend the several Acts relating to
the *Preston* and *Wyre* Railway and Harbour
Company. [27th March 1839.]

WHEREAS an Act was passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from Preston to Wyre, and for improving the Harbour of Wyre, in the County Palatine of Lancaster*; and by the said Act several Persons were incorporated by the Name and Style of "The *Preston* and *Wyre* Railway and Harbour Company," for the Purpose of carrying into execution the said Undertaking: And whereas an Act was passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter the Line of the Preston and Wyre Railway, and to amend the Act relating thereto*: And whereas the Capital of the said Company consists at present of One hundred and thirty thousand Pounds, divided into Two thousand six hundred Shares of Fifty Pounds each: And whereas it is expedient that the said Company should be authorized to raise by Contribution among themselves, or by such
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other Ways and Means as are herein-after mentioned, a further Sum of Money by way of additional Capital and Loan, or by either of such Ways, to enable them to complete the said Railway and Works, and for other the Purposes connected with the same; but the 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, That all the Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things contained in the said recited Acts (except such of them or such Parts thereof respectively as are by this Act repealed, altered, or otherwise provided for), shall extend and be construed to extend to this Act, and shall operate and be in force in respect to the Objects and Purposes of this Act, as fully and effectually, to all Intents and Purposes whatsoever, as if the same Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exceptions, Remedies, Regulations, Clauses, Matters, and Things were repeated or re-enacted in this Act.

Powers of recited Acts extended to this Act.

Company may raise 170,000*l.* by new Shares.

II. And be it further enacted, That it shall be lawful for the said Company to raise, by the Creation and Sale of new Shares, of such an Amount as they may deem expedient, any Sum or Sums of Money not exceeding together the Sum of One hundred and seventy thousand Pounds, in addition to the said Sum of One hundred and thirty thousand Pounds authorized to be raised by the said Act firstly herein-before recited, making together the Sum of Three hundred thousand Pounds.

Power to raise an additional Sum of 26,000*l.*;

III. And be it further enacted, That when and so soon as Two Thirds of the said Capital of Three hundred thousand Pounds shall have been subscribed for, then in such Case, and at any Time thereafter, it shall be lawful for the said Company to raise and borrow any Sum or Sums of Money not exceeding in the whole the Sum of Twenty-six thousand Pounds, exclusive of the Sum of Forty thousand Pounds, by the said herein-before recited Acts authorized to be raised.

also a further Sum of 34,000*l.* as soon as 150,000*l.* shall be paid up.

IV. And be it further enacted, That when and as soon as the whole of the said Capital of Three hundred thousand Pounds shall have been subscribed for, and One Half of the said Capital shall have been paid up, it shall be lawful for the said Company to raise and borrow any Sum or Sums of Money not exceeding in the whole Thirty-four thousand Pounds, in addition to the said Sums of Forty thousand Pounds and Twenty-six thousand Pounds authorized to be raised as aforesaid.

The said Sums of 26,000*l.* and

V. And be it further enacted, That it shall be lawful for the said Company to raise the said Two Sums of Twenty-six thousand Pounds

Pounds and Thirty-four thousand Pounds, when and as soon as the same shall become raisable as aforesaid, by Mortgage, Bond, or Debentures, or by all or any of the Ways and Means mentioned in the said herein-before recited Acts for raising the said Sum of Forty thousand Pounds thereby authorized to be raised; and that every Clause in the said herein-before recited Acts contained, mentioning or referring to the said Sum of Forty thousand Pounds, shall be deemed and construed to mention or refer to the said additional Sums of Twenty-six thousand Pounds and Thirty-four thousand Pounds, in lieu and instead of the said Sum of Forty thousand Pounds.

34,000l. may be raised by Mortgage.

VI. And be it further enacted, That the Money, when raised by virtue of this Act, shall be laid out and applied, in the first place, in paying and discharging all Costs and Expences incurred in applying for, obtaining, and passing this Act, with Interest for any Sums which may have been advanced for that Purpose, and that the Residue of such Money shall be laid out and applied for the Purpose of completing and maintaining the said Railway and Works authorized to be made by the said recited Acts, and for other the Purposes connected with the same.

Application of the Money raised.

VII. And whereas by the said first-recited Act the said Company are empowered to make Bye Laws, and to impose Penalties for the Non-observance thereof, and it is expedient that such Power should be altered and amended; be it therefore enacted, That no Bye Law already made by the said Company shall continue in force for a longer Space of Time than Six Calendar Months next after the passing of this Act, unless the same shall previously to the Expiration of that Period have been submitted to and approved by one of the Judges of Her Majesty's Courts of Record at *Westminster*, or of the County Palatine of *Lancaster*, or by the Justices of the Peace for the said County Palatine of *Lancaster* in Quarter Sessions assembled; and that no Bye Law which shall be made by the said Company after the passing of this Act shall have any Operation or Effect until the same shall have been in like Manner approved by such Judge or Justices as aforesaid; and every such Bye Law, when approved as aforesaid, and published in manner directed by the said recited Acts, shall be binding and conclusive upon all Persons or Parties whomsoever; and any Justice of the Peace before whom any Person offending against any such Bye Law may be brought or summoned shall have the Power of convicting for the whole or for any Part of the Penalty imposed by such Bye Law, as the said Justice may in his Discretion think proper; any thing in the said first-recited Act or in such Bye Laws to the contrary thereof notwithstanding.

Bye Laws to be approved by One of the Judges or by the Magistrates in Quarter Sessions.

VIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.

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IX. And

Act may be
amended this
Session.

IX. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed during the present Session of Parliament.

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