



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cxlix.

An Act for incorporating a Company for making a Railway in the County of *Lancaster*, to be called “*The Garstang and Knot End Railway* ;” and for other Purposes. [30th *June* 1864.]

WHEREAS the making of Railways between the *Lancaster and Preston Junction* Railway, near the *Garstang* Station, and *Knot End*, in the County of *Lancaster*, would be of public and local Advantage: And whereas the several Persons herein-after named, with others, are willing, at their own Expense, to carry the same into execution: And whereas Plans and Sections showing the Lines and Levels of the proposed Railways, and the Lands by this Act authorized to be acquired, and Books of Reference to those Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of those Lands, have been deposited with the Clerk of the Peace for the County of *Lancaster*: 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,)

[*Local.*]

21 Z

1. This

The Garstang and Knot End Railway Act, 1864.

Short Title.

1. This Act may for all Purposes be cited as "*The Garstang and Knot End Railway Act, 1864.*"

8 & 9 Vict.
cc. 16. 18.
& 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92. & 118.
incorporated.

2. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," and Part I. (relating to the Construction of a Railway) of "The Railways Clauses Act, 1863," and Part I. (relating to the Cancellation and Surrender of Shares) of "The Companies Clauses Act, 1863," are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Same
Meanings to
Words in in-
corporated
Acts as in
this Act.

3. The several Words and Expressions to which by the Acts wholly or partially incorporated with this Act Meanings are assigned, have in this Act the same respective Meanings, unless excluded by the Subject or Context.

Interpre-
tation of
Terms.

4. In this Act the Expression "the Company" shall mean the *Garstang and Knot End Railway Company* incorporated by this Act; the Expression "the Railways" shall mean the Railways by this Act authorized, or any Part thereof; and the Expression "Superior Courts," or "Court of competent Jurisdiction," or any other like Expression, in this Act or any Act 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.

Company in-
corporated.

5. Colonel James Bourne, Julian Augustus Turner, Richard Bennett, Henry Gardner, John Rossall, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railways, and for other the Purposes of this Act, and for those Purposes shall be incorporated by the Name of "*The Garstang and Knot End Railway Company,*" and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act.

Capital.

6. The Capital of the Company shall be Sixty thousand Pounds, in Six thousand Shares of Ten Pounds each.

Shares not
to be issued
until One
Fifth Part
shall have
been paid up.

7. It shall not be lawful for the Company to issue any Shares 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 Part of the Amount of such Share, shall have been paid in respect thereof.

8. Three

The Garstang and Knot End Railway Act, 1864.

8. Three Pounds a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and Four Fifths of the Amount of a Share shall be the utmost aggregate Amount of Calls made in any One Year.

9. The Company from Time to Time may borrow on Mortgage any Sums not exceeding in the whole Twenty thousand Pounds, but no Part thereof shall be borrowed until the whole of the Capital of Sixty thousand Pounds is subscribed for, 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 Shares for the whole of the Capital have been issued and accepted, and that not less than One Fifth Part of the Amount thereof has been paid on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares were issued *bonâ fide*, and are held by the Subscribers or their Assigns, and that for such Capital such Subscribers or their Assigns are legally liable.

10. All and every Part of the Money raised under this Act, whether by Shares or borrowing, shall be applied only for the Purposes of this Act.

11. The Company shall not, out of any Money by this Act authorized to be raised by Calls or by borrowing, 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 this Act shall not prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

12. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now or hereafter 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.

13. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

14. The Number of Directors shall be Six.

15. The

Calls.

Power to borrow on Mortgage.

Application of Monies.

Interest on Calls paid up not to be paid out of Capital.

Deposits for future Bills not to be paid out of Capital or Loan.

First Ordinary Meeting.

Number of Directors.

The Garstang and Knot End Railway Act, 1864.

- Quorum.** 15. The Quorum of a Meeting of Directors shall be Three.
- First Directors.** 16. Colonel James Bourne, Julian Augustus Turner, Richard Bennett, Henry Gardner, John Rossall, and James Overend shall be the First Directors of the Company.
- Qualification of Directors.** 17. The Qualification of a Director shall be the Possession in his own Right of not less than Fifty Shares.
- Election of Directors.** 18. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting held after the passing of this Act, and at that Meeting the Shareholders present, personally or by proxy, may either continue in Office the Directors appointed by this Act, or any of them, or the Meeting may elect a new Body of Directors, or so many Directors as are required to supply the Place of those not continued in Office, the Directors appointed by this Act being, if qualified, eligible for Re-election.
- Subsequent Election of Directors.** 19. At the First Ordinary Meeting to be held in every Year after the First Ordinary Meeting, the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified, nor having resigned, shall continue to be Directors until others are elected in their stead in manner provided by "The Companies Clauses Consolidation Act, 1845."
- Newspaper for Advertisements.** 20. The Newspaper for Advertisements shall be any Newspaper published in the County of *Lancaster*.
- Power to take Lands.** 21. Subject to the Provisions of this Act and of the Acts wholly or partially incorporated herewith, the Company may from Time to Time enter upon, take, and use all or any of the Lands defined on the deposited Plans and described in the deposited Books of Reference.
- Power to make Railways authorized by this Act.** 22. Subject to the Provisions of this Act and of the Acts wholly or partially incorporated herewith, the Company may from Time to Time make and maintain in the Lines and according to the Levels shown on the deposited Plans and Sections, and in and upon the Lands which the Company are by this Act authorized to enter upon, take, and use, the Railways following, with all proper Stations, Approaches, Works, and Conveniences connected therewith; (that is to say,)
A Railway commencing in the Township of *Barnacre with Bonds* in the Parish of *Garstang* in the County of *Lancaster* by a
Junction

The Garstang and Knot End Railway Act, 1864.

Junction with the *Lancaster and Preston Junction* Railway near the *Garstang* Station thereon, and terminating in the Township of *Presall with Hackinsall* in the Parish of *Lancaster* in the said County :

A Railway wholly within the said Township of *Barnacre with Bonds*, commencing by a Junction with the intended Railway first herein-before described, and terminating by a Junction with the *Lancaster and Preston Junction* Railway :

A Railway wholly within the said Township of *Barnacre with Bonds*, commencing at or near the *Garstang* Station of the *Lancaster and Preston Junction* Railway, and terminating by a Junction with the intended Railway first herein-before described.

23. The Junction of the Railway herein-before first described with the *Lancaster and Preston Junction* Railway shall (unless the *London and North-western* Railway Company, by Writing under their Common Seal, otherwise agree) be made at some Point not less than 250 Yards Northward of the Junction with that Railway as shown on the deposited Plans ; and the Company shall not (except with such Consent as aforesaid) form the Junction of the Railway herein-before thirdly described with the *Lancaster and Preston Junction* Railway as shown on the deposited Plans, but shall form a Junction with that Railway by means of a Siding, at such Point and in such Manner as the Engineer of the *London and North-western* Railway Company shall by Writing under his Hand approve ; and the *London and North-western* Railway Company shall afford all necessary Facilities for enabling the Company to effect such last-mentioned Junction.

Junctions with the *Lancaster and Preston Junction* Railway.

24. It shall be lawful for the Company in the Construction of the Railways to carry the same respectively with a double Line of Railway across and on the Level of the Roads numbered on the deposited Plans as follows ; (that is to say,)

Power to cross certain Roads on the Level.

No. on Plan.	Parish.	Description of Road.
33	Garstang - -	Public Road.
48	Garstang - -	Public Road.
116	Garstang - -	Public Road.
164	Garstang - -	Public Road.
196a	Garstang - -	Public Road.
229	Garstang - -	Public Road.
261	Garstang - -	Public Road.
286	Garstang - -	Public Road.
39	Lancaster - -	Public Road.
72	Lancaster - -	Public Road.

The Garstang and Knot End Railway Act, 1864.

Inclinations
of certain
Roads.

25. The Company shall not make the Inclination of the public Roads numbered respectively on the deposited Plans 164 and 196A in the Parish of *Garstang*, and 39 in the Parish of *Lancaster*, when altered, steeper than 1 in 30.

Lands for ex-
traordinary
Purposes.

26. The Company may purchase by Agreement, in addition to the Lands by this Act authorized to be purchased compulsorily, any Quantity of Land for the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," not exceeding Two Acres.

Powers for
compulsory
Purchases
limited.

27. 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 Two Years after the passing of this Act.

Period for
Completion
of Works.

28. The Railways shall be completed within Three Years after the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Authorizing
Sale of Lands
belonging to
the Duchy of
Lancaster,
and pro-
viding for
Application
of Purchase
Money.

29. And whereas Part of the Lands which may be required for the Purposes of this Act belong to the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster*: Therefore it shall be lawful for the Chancellor and Council of Her Majesty's Duchy of *Lancaster* for the Time being to agree with the Company for the absolute Sale in Fee Simple of the Lands, or any Part thereof, of or belonging to Her said Majesty in right of Her said Duchy, which shall be required for the Purposes of this Act, at or for such Price or Compensation in Money and upon such Terms and Conditions as shall be settled and agreed upon between the said Chancellor and Council and the Company, and upon Payment of such Price or Compensation by any Deed or Writing under the Seal of the Duchy, in the Name of Her said Majesty, Her Heirs and Successors, to convey the same Lands, and the Fee Simple and Inheritance thereof, to the Company, their Successors and Assigns, for the Purposes of this Act; and the Purchase Money or Consideration for the same Lands shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same either shall and may be invested in the Purchase of Bank Annuities according to the Powers and Provisions contained or referred to in an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to improve the Land Revenue of the Crown in England, and also of His Majesty's Duchy of Lancaster*, with respect to the Purchase Money to be paid for Property belonging to
the

The Garstang and Knot End Railway Act, 1864.

the Crown within the Survey and Receipt of the said Duchy under the therein recited Acts ; or the same, or any Part thereof, may, either without any previous Investment or after such, and either alone or together with any other Monies which shall for the Time being have arisen or shall hereafter arise from the Sale of Lands and Hereditaments Part of the Possessions of the said Duchy, be laid out according to the Provisions of an Act passed in the Fifty-seventh Year of His said Majesty King *George* the Third, intituled *An Act for ratifying Articles of Agreement entered into by the Right Honourable Henry Hale Viscount Gage and the Commissioners of His Majesty's Woods and Forests and Land Revenues, and for the better Management and Improvement of the Land Revenues of the Crown* ; or the said Monies, and also any such other Monies, whether previously invested or not, or any Part thereof, respectively, may be laid out in the Purchase of Lands which in the Judgment of the said Chancellor and Council shall be deemed convenient to be held with any Possession of the said Duchy as the Chancellor and Council for the Time being of the said Duchy shall direct by any Order or Orders in that Behalf, and the said Chancellor and Council shall for the Purposes of this Act have and be entitled to all such Powers and Provisions in reference to the Monies (if any) so invested in Bank Annuities, and so to be laid out and invested as aforesaid, as under or by virtue of the said recited Act of the Fifty-seventh Year of King *George* the Third they are entitled to concerning any Sums or Funds of or belonging to the Duchy of *Lancaster* in the same Act particularly mentioned or referred to ; and the Lands and Hereditaments (if any) so purchased on behalf of the said Duchy as aforesaid shall be conveyed and assured to the Use of Her Majesty, Her Heirs and Successors, in right of Her said Duchy of *Lancaster*, and shall vest in Her said Majesty, Her Heirs and Successors, in the same Right and as fully and effectually as the Lands to be conveyed to the said Company were vested in Her immediately before such Conveyance, and be held with the like Incidents and be subject to the same Application to all Intents and Purposes as the said Lands so to be conveyed to the said Company were held by Her immediately before such Conveyance ; and every such Conveyance to the Use of Her Majesty, Her Heirs and Successors, may be in the Form in the Schedule to this Act annexed, or as near thereto as may be.

30. Every Deed or Writing whereby any Lands, Hereditaments, Estate, Right, or Interest shall be conveyed or assured by the said Chancellor and Council of Her said Majesty's Duchy of *Lancaster* by virtue of the Powers of this Act, being enrolled in the Court of the Duchy Chamber of *Lancaster* within Six Calendar Months from the Date thereof, shall be effectual to vest in the Company the Lands, Here-

For Enrolment of all Deeds of Conveyance of Land belonging to the Duchy of Lancaster.

The Garstang and Knot End Railway Act, 1864.

Hereditaments, and Premises thereby expressed to be granted, conveyed, or assured, anything contained in the Act passed in the First Year of Her Majesty Queen *Anne*, intituled *An Act for the better Support of Her Majesty's Household, and the Honour and Dignity of the Crown*, or in any other Act, to the contrary in anywise notwithstanding.

Proposed Deviation of Lancaster Canal not to be executed without Consent of Canal Company.

31. In constructing the Railway and Works thirdly described in this Act the Company shall not execute the proposed Deviation of the Canal of the Company of Proprietors of the *Lancaster Canal Navigation* (herein-after referred to as "the Canal") near the *Garstang Station*, nor take, enter upon, or interfere with any Land now used as a Wharf in connexion with the Canal, and belonging to the said Company of Proprietors (herein-after referred to as the "Canal Company"), without their Consent in Writing in every Instance for that Purpose first had and obtained.

As to Works affecting the Canal.

32. In carrying the Railway over the Canal the Company shall, to the reasonable Satisfaction of the Engineer of the Canal Company, make, and for ever after maintain in perfect Repair, a good and substantial Iron Girder Bridge, the Underside of such Bridge not being less than Ten Feet above the Top-water Level of the Canal, the Abutments to be carried up perpendicularly, and the Space between the Abutments of such Bridge shall be such as shall leave not less than Twenty-five Feet in the Clear at Right Angles with the Canal, including the Waterway and the Towing-path thereof, so as to allow of not less than Eighteen Feet Six Inches for the Width of the Waterway, and of not less than Six Feet Six Inches for the Width of the Towing-path; and the requisite Works shall be made by the Company in such Position as shall be determined by the Engineer of the Canal Company, and in such Manner as that the Waterwings, to the Extent of not less than Fifty Feet on each Side of such Bridge and Towing-path Wall, may be gradually and not abruptly, contracted to the said Width of not less than Eighteen Feet Six Inches, and the Waterwings shall be filled and levelled up with good and sufficient Puddle and Materials to the Satisfaction of the said Engineer.

Passage to be left along Canal and Towing-path during Execution of Works.

33. During the making and executing of such Bridge and other Works, and the necessary Repair and Renewal thereof respectively, the Company shall at all Times leave an open and uninterrupted navigable Way in the said Canal, and an open and uninterrupted Passage along the Towing-path.

Company to make good all Damage.

34. The Company shall make good all Damage that may be occasioned to the Works or Property of the Canal Company by the
Con-

The Garstang and Knot End Railway Act, 1864.

Construction, Renewal, or Want of Repair of the Railway Bridge or Works by this Act authorized or directed to be made; and if for Seven Days after Notice in Writing given to the Company by the Canal Company, the Company neglect to proceed with due Diligence to make good such Damage, the Canal Company may, if they think fit, make good the same, and the Amount expended by them in so doing shall be paid to them by the Company: Provided always, that in any Case of pressing Necessity the Canal Company may proceed to make good such Damage, and recover Payment for the same, without giving such Notice as aforesaid.

35. If by reason of the Execution of any of the Works by this Act authorized or directed, or by reason of the Want of Repair of any such Works, it shall happen that the said Canal or Towing-path shall be so obstructed that Boats or Barges, or the Horses drawing the same, shall not be able freely to pass along the said Canal or Towing-path, the Company shall pay to the Canal Company, as Damages, Fifty Pounds for every Day during which such Obstruction shall happen.

Penalty for Interruption of Canal Traffic.

36. Provided always, That nothing herein contained shall prevent the Canal Company from recovering against the Company any special Damage that may be sustained by the Canal Company in consequence of the Works to be executed by the Company under the Provisions herein-before contained, or by reason of any Water oozing or escaping from the said Canal, or on account of any Act, Work, Neglect, or Default of the Company not herein specifically provided for, and the Canal Company may sue for and recover such Damage accordingly.

Special Damage to Canal Company.

37. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of the Reign of Her present Majesty, Chapter Twenty, a Sum of Four thousand eight hundred Pounds, being Eight *per Centum* on Sixty thousand Pounds, the Amount of the Estimate of the Railways by this Act authorized, has been deposited with the Court of Chancery in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum so deposited as aforesaid, or the Interest or Dividends thereof, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railways, either open the Railways for the public

Deposit Money not to be repaid until Line opened, or Half the Capital paid up and expended, except on Execution of Bond, &c.

The Garstang and Knot End Railway Act, 1864.

Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened their Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the Sum so deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of the Sum so deposited shall have been executed by the Company, with One or more Surety or Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for the Payment to Her Majesty, Her Heirs or Successors, of the Sum so deposited, if the Company shall not, within the Time limited for the Completion of the Railways, either open the Railways for the public Conveyance of Passengers or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their
Satisfaction

The Garstang and Knot End Railway Act, 1864.

Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

38. The Company from Time to Time may lawfully demand and Tolls. take in respect of the Use of the Railways any Tolls not exceeding the following; (that is to say,)

In respect of the Tonnage of Goods conveyed on the Railway :

For all Coals, Coke, Culm, Charcoal, and Cinders, Dung, Com-
post, and all Sorts of Manure, Lime and Limestone, and all
undressed Materials for the Repair of public Roads or Highways,
per Ton per Mile One Penny; and if conveyed in Carriages
belonging to the Company, an additional Sum *per Ton per*
Mile of One Halfpenny : Tonnage on
Articles of
Merchan-
dise.

For all Stones for building, pitching, and paving, all Bricks, Tiles,
Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron,
Rod Iron, Hoop Iron, and all other similar Descriptions of
Wrought Iron and Iron Castings not manufactured into Utensils
or other Articles of Merchandise, and Potatoes, *per Ton per*
Mile One Penny Halfpenny; and if conveyed in Carriages
belonging to the Company, an additional Sum *per Ton per*
Mile of One Halfpenny :

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware,
Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils,
Vices, and Chains, *per Ton per Mile* Twopence, and if con-
veyed in Carriages belonging to the Company, an additional Sum
per Ton per Mile of Three Farthings :

For all Cotton and other Wools, Drugs, manufactured Goods, and
all other Wares, Merchandise, Fish, Articles, Matters, or Things,
per Ton per Mile Threepence; and if conveyed in Carriages
belonging to the Company, an additional Sum *per Ton per Mile*
of One Penny :

And 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, *per Mile* Sixpence; and a Sum of One Penny Half-
penny *per Mile* for every additional Quarter of a Ton, or
fractional Part of a Quarter of a Ton, which any such Carriage
may weigh :

In respect of Passengers conveyed in Carriages upon the Railways,
or any Part thereof, as follows :

For any Person conveyed in or upon any such Carriage, *per Mile*
Twopence; and if conveyed in or upon any Carriage belong-
ing to the Company, an additional Sum *per Mile* of One
Penny :

In

The Garstang and Knot End Railway Act, 1864.

In respect of Animals conveyed on the Railways, or any Part thereof, as follows :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per* Mile Threepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile of One Penny :

For every Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile of One Farthing.

Regulations
as to Tolls.

39. The following Provisions and Regulations apply to the fixing of all Tolls; (that is to say,)

For Persons, Animals, or Things conveyed on the Railways for a less Distance than Three Miles, the Company may demand and receive the before-mentioned Tolls as for Three Miles :

For a Fraction of a Mile beyond Three Miles, or beyond any greater Number of Miles, the Company may demand Tolls 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 a Mile such Fraction shall be deemed a Quarter of a Mile :

For a Fraction of a Ton the Company may demand Tolls 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 :

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 single
Articles of
great
Weight.

40. With respect to small Packages not exceeding Five hundred Pounds in Weight, and single Articles of great Weight, notwithstanding the Rates prescribed by this Act, the Company may demand and take any Tolls not exceeding the following ; (that is to say,)

For the Carriage of small Parcels on the Railways, as follows :

For any Parcel not exceeding Seven Pounds in Weight, Threepence ;

For any Parcel exceeding Seven Pounds and not exceeding Twenty-eight Pounds in Weight, Fivepence ;

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, Sevenpence ;

And

The Garstang and Knot End Railway Act, 1864.

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

Provided always, that Articles sent in large aggregate Quantities, although made up in separate Parcels, as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term applies only to single Articles in separate Packages:

For the Carriage of single Articles of great Weight:

For the Carriage of any single Article the Weight of which, including the Carriage, exceeds Four Tons but does not exceed Eight Tons, the Company may demand any Sum not exceeding Sixpence a Ton a Mile:

For the Carriage of any single Article the Weight of which, including the Carriage, exceeds Eight Tons, the Company may demand and take any Sum they think fit.

41. The Toll which the Company may demand and receive for the Use of the Locomotive Engines for propelling Carriages on the Railways shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles. Limiting Charges for Propelling Power.

42. Every Passenger travelling upon the Railways may take with him his ordinary Luggage, not exceeding the Weight following; (that is to say,) Passengers Luggage.

Every Passenger travelling in a First-class Carriage, One hundred and twenty Pounds in Weight;

Every Passenger travelling in a Second-class Carriage, One hundred Pounds in Weight;

Every Passenger travelling in a Third-class Carriage, Sixty Pounds in Weight;

without any Charge being made for the Carriage thereof.

43. The maximum Rate of Charges to be made by the Company for the Conveyance of Passengers upon the Railways, including the Tolls for the Use of the Railways and of Carriages, and for locomotive Power, and every other Expense incidental to the Conveyance, shall not exceed the following; that is to say, Maximum Rates for Passengers.

For every Passenger conveyed in a First-class Carriage, Three-pence a Mile:

For every Passenger conveyed in a Second-class Carriage, Two-pence a Mile:

For every Passenger conveyed in a Third-class Carriage, One Penny Farthing a Mile.

44. The maximum Rate of Charge to be made by the Company for the Conveyance of Animals and Things on the Railways, including Maximum Rates for Animals and the Goods.

[*Local.*]

The Garstang and Knot End Railway Act, 1864.

the Tolls for the Use of the Railways and of Carriages, and for locomotive Power, and for every other Expense incidental to the Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services, or any of them, are or is performed by the Company, shall not exceed the following Sums; that is to say,

For all Coals, Coke, Culm, Charcoal, Cinders, Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per Ton per Mile* One Penny Halfpenny :

For all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, and Potatoes, *per Ton per Mile* Twopence :

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* Threepence :

For all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* Fourpence :

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, carried or conveyed on a Truck or Platform, *per Mile* Sixpence :

For every Horse, Mule, Ass, or other Beast of Draught or Burden, conveyed in or upon any Carriage, *per Mile* Fourpence :

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any Carriage, *per Mile* Threepence :

For every Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon any Carriage, *per Mile* One Penny Halfpenny.

Terminal
Station.

45. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railways which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Restriction
as to Charges
not to apply
to Special
Trains.

46. The Restrictions as to the Charges to be made for Passengers shall not extend to any Special Train that may be required to be run upon the Railways, in respect of which the Company may make such Charges as they think fit, but shall apply only to the Ordinary and Express Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railways.

47. This

The Garstang and Knot End Railway Act, 1864.

47. This Act or anything therein shall not prevent the Company from taking any increased Charges, over and above the Charges by this Act limited, for the Conveyance of Animals or Goods of any Description, by Agreement with the Owners or Persons in charge thereof, or in respect to the Conveyance thereof, other than small Parcels by Passenger Trains, or by reason of any special Service performed by the Company in relation thereto.

Company may take increased Charges by Agreement.

48. Except as is by this Act otherwise expressly provided, nothing in this Act contained shall take away, lessen, prejudice, alter, or affect any of the Rights, Privileges, Property, Powers, or Authorities, or otherwise interfere with the Canal and Works of the Canal Company.

Saving Rights of Canal Company.

49. Provided always, 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 or enjoyed by the Queen's most Excellent Majesty, Her Heirs and Successors, as well in right of Her Crown as in right of Her Duchy of *Lancaster*.

Saving Rights of the Crown and the Duchy of Lancaster.

50. This Act or anything herein contained shall not exempt the Railways to which this Act relates from the Provisions of any General Act relating to 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, or the Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges by this Act authorized, or of the Rates for small Parcels hereby authorized.

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

51. 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.

Expenses of Act.

SCHEDULE referred to in the foregoing Act.

These are to witness, that in consideration of the Sum of
£ paid to *A.B.* of
by *C.D.*, the Receiver General of the Revenues of the Duchy of
Lancaster, on behalf of Her Majesty, he the said *A.B.* doth by these
Presents grant, convey, and assure unto the said *C.D.* his Heirs and
Assigns, all that
to have and to hold the same unto the said *C.D.*, his Heirs and
Assigns, to the Use of Her said Majesty, Her Heirs and Successors,
in right of Her said Duchy.

In witness, &c.

LONDON:

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