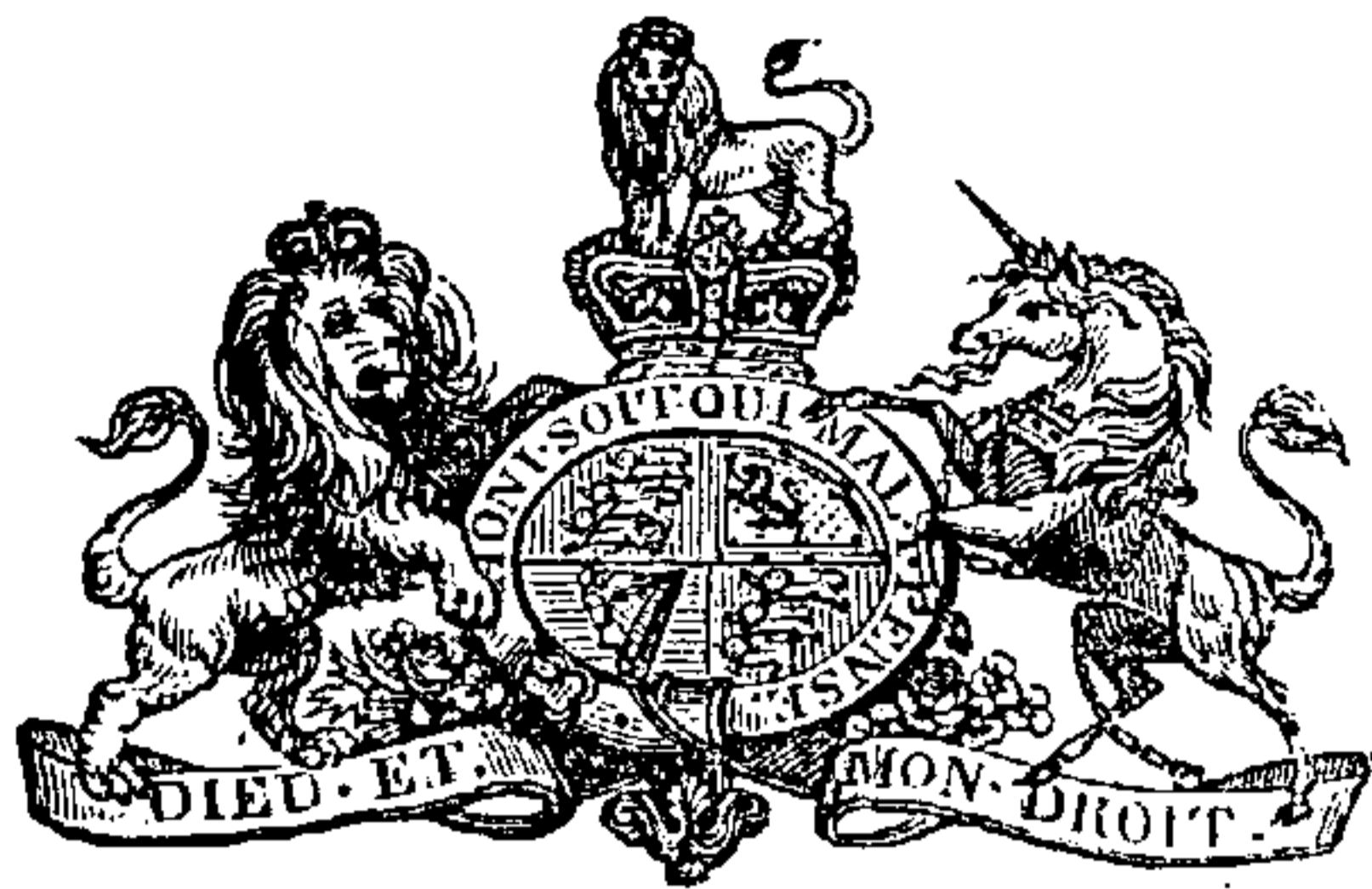


[34 & 35 VICT.] *The Lancashire and Yorkshire and London and North-western Railway Companies (Blackpool and Lytham Railway, &c.) Act, 1871.* [Ch. lxiv.]



CHAP. lxiv.

An Act for amalgamating the Blackpool and Lytham Railway with the Preston and Wyre Railway, Harbour, and Dock Undertaking of the Lancashire and Yorkshire and London and North-western Railway Companies ; and for conferring upon those Companies further powers in connexion with the said Undertaking ; and for other purposes. A.D. 1871.

[29th June 1871.]

WHEREAS by the Blackpool and Lytham Railway Act, 1861, the Blackpool and Lytham Railway Company (in this Act referred to as "the Blackpool Company") were incorporated, and empowered to construct a railway from Blackpool to Lytham, and the said railway has been completed and opened, and is now used for the conveyance of traffic : 24 & 25 Vict.  
c. ix.

And whereas by the Lancashire and Yorkshire and London and North-western Railways (Preston and Wyre Railway, Harbour, and Dock Vesting) Act, 1849, the undertaking of the Preston and Wyre Railway, Harbour, and Dock Company (in this Act referred to as "the Preston and Wyre Undertaking") was vested in the Lancashire and Yorkshire and London and North-western Railway Companies (in this Act referred to as "the two Companies") as joint owners thereof, in the proportions and upon the terms in that Act mentioned : 12 & 13 Vict.  
c. lxxiv.

And whereas the Preston and Wyre Undertaking comprises a railway from Preston to Fleetwood, with branches to Blackpool and Lytham respectively, and the Blackpool and Lytham Railway might with advantage be worked by the two Companies in connexion with and as part of their Preston and Wyre Undertaking, and with that view it is expedient and has been agreed that the Blackpool and Lytham Railway should be amalgamated with and form part of the Preston and Wyre Undertaking, in the manner herein-after provided :

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And whereas the capital of the Blackpool Company, as authorised by their said Act of 1861, consists of forty-five thousand pounds in shares, and fifteen thousand pounds on mortgage, the whole of which has been raised and expended, and in addition thereto the Blackpool Company have been empowered by a certificate of the Board of Trade, issued under the provisions of the Railway Companies Powers Act, 1864, to raise a further share capital of fifteen thousand pounds, in respect of which they have already created and issued five pounds per centum preference stock to the amount of ten thousand three hundred and seventy pounds, and they have under the same certificate an unexercised borrowing power to the amount of five thousand pounds :

And whereas it has been agreed that the two Companies shall adopt and take upon themselves the mortgage debt of the Blackpool Company, and shall assume the preference stock of the Blackpool Company, subject to the power of redeeming the said stock hereinafter conferred upon them, and shall pay to the Blackpool Company in respect of their ordinary shares the sum of thirty-three thousand six hundred pounds :

And whereas it is expedient that the Preston and Wyre Undertaking should be connected with the Blackpool and Lytham Railway at Lytham, and that the two Companies should be empowered to construct for that purpose a short junction railway, and to acquire additional lands at Lytham, and that the said railway and lands when constructed and acquired should form and become part of the Preston and Wyre Undertaking :

And whereas the rates and charges which the two Companies are entitled to demand and levy for the use of the harbour of Wyre at Fleetwood apply only to vessels using the said harbour for the purpose of loading or unloading therein, and it is expedient that the two Companies should be authorised to demand and levy the tolls, rates, and charges specified in the several schedules to this Act, in respect of the use by other vessels of the said harbour, and also in respect of the use of the works and conveniences connected therewith :

And whereas it is expedient that the Lancashire and Yorkshire Railway Company should be empowered to raise further money for the purposes of this Act :

And whereas plans and sections showing the line and levels of the railway by this Act authorised, and plans showing the lands intended to be acquired under the authority of this Act, and a book of reference to such plans, have been deposited with the clerk of the

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peace for the county of Lancaster, and are herein-after referred to respectively as the deposited plans and sections and book of reference :

And whereas the objects 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, as follows :

1. This Act may be cited for all purposes as "The Lancashire and Yorkshire and London and North-western Railway Companies (Blackpool and Lytham Railway, &c.) Act, 1871." Short title.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, the Railways Clauses Consolidation Act, 1845, and Part I. (relating to the construction of a railway) of the Railways Clauses Act, 1863, so far as the provisions of the same respectively are applicable to the purposes of and are not expressly altered or varied by this Act, are incorporated with and form part of this Act. Provisions of general Acts herein named incorporated.

3. In construing this Act the several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall have in this Act the same respective meanings, unless excluded by the subject or context ; the expression "the Lancashire and Yorkshire Company" shall mean the Lancashire and Yorkshire Railway Company ; the expression "the London and North-western Company" shall mean the London and North-western Railway Company ; the expression "the two Companies" shall mean the London and North-western Company and the Lancashire and Yorkshire Company ; the expressions "the Preston and Wyre Company" and "the Preston and Wyre Undertaking" shall mean respectively the Preston and Wyre Railway, Harbour, and Dock Company and their undertaking ; the expression "the Blackpool Company" shall mean the Blackpool and Lytham Railway Company ; the expression "the Blackpool Railway" shall mean the undertaking of the Blackpool Company ; 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 in respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute. Interpretation of terms.

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Defining undertaking of Blackpool Company.

4. The undertaking of the Blackpool Company to which the provisions of this Act shall apply is hereby declared to consist of a railway from Blackpool to Lytham, and the stations, sidings, approaches, buildings, fixed and moveable plant, and all other works, and all the land and all other the property, estate, money, and effects, whether real or personal, (except only the balance on revenue account up to the first of July one thousand eight hundred and seventy-one,) which at that date belonged to or were vested in the Blackpool Company, or held in trust for them for any estate whatsoever.

Amalgamating Blackpool Company's undertaking with the Preston undertaking.

5. On and immediately after the passing of this Act, the undertaking of the Blackpool Company shall be as from the first day of July one thousand eight hundred and seventy-one by this Act well and effectually amalgamated with and shall form part of the Preston and Wyre Undertaking, and shall be deemed to have been included in and shall be subject to the provisions of the Lancashire and Yorkshire and London and North-western Railways (Preston and Wyre Railway, Harbour, and Dock Vesting) Act, 1849, affecting the last-mentioned undertaking, but subject to the provisions of this Act, and to the existing mortgage debt, liabilities, engagements, contracts, obligations, and incumbrances affecting the same on capital account: Provided always, and it is hereby enacted, that within six months next after the passing of this Act the two Companies shall produce to the Commissioners of Inland Revenue a copy of this Act printed by Her Majesty's printers, and duly stamped with an ad valorem stamp duty of the same amount as would have been payable in respect of a conveyance by the Blackpool Company of their undertaking, in favour of the two Companies, in which the amount of the purchase money was fully and truly set forth, and if the two Companies shall not within the said period produce such copy of this Act duly stamped as aforesaid, the said ad valorem duty shall be recoverable from the two Companies, with full costs of suit, and all charges attending the same.

Incorporation of Part V. of Railways Clauses Act, 1863.

6. Part V. (relating to amalgamation) of the Railways Clauses Act, 1863, is (except where expressly varied by this Act) incorporated with and forms part of this Act, and in construing the same for the purposes of this Act the time of amalgamation referred to in the incorporated part of the said Act means the first day of July one thousand eight hundred and seventy-one, and the amalgamated Company means the two Companies as owners of the Preston and Wyre Undertaking, and the said part of the same Act shall be read and have effect as though the dissolution of the Blackpool Company

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were to take place on the passing of this Act, instead of at the period in that behalf prescribed by this Act.

7. The two Companies shall on or before the first day of July one thousand eight hundred and seventy-one pay to the Blackpool Company the sum of thirty-three thousand six hundred pounds, and the Blackpool Company, after payment and satisfaction of all debts and liabilities, if any, which, as between the Blackpool Company and the two Companies, ought to be paid and satisfied by the Blackpool Company, shall distribute the same pro rata between and amongst the several holders of the ordinary shares in that Company, according to their respective holdings.

Payment to Blackpool Company by the two Companies.

8. On the amalgamation all the powers of the Blackpool Company for raising capital by shares or by borrowing shall be and the same are hereby extinguished.

Extinguishing powers of Blackpool Company to raise capital.

9. Notwithstanding the amalgamation, the Blackpool Company shall, until its dissolution as herein-after provided, retain and be entitled to exercise all such powers and authorities as are requisite for the payment of their debts and liabilities, and for distributing among its ordinary shareholders the said sum of thirty-three thousand six hundred pounds, and for the winding-up of its affairs in accordance with the provisions of this Act.

Blackpool Company to continue to exercise powers necessary for winding up its affairs.

10. Notwithstanding the amalgamation, all simple contract debts which immediately before the time of amalgamation were owing to the Blackpool Company, or to any person on their behalf, shall be paid to that Company, with all interest (if any) due or payable or accruing for the same, and all simple contract debts and liabilities which immediately before the time of amalgamation were owing by or recoverable from the Blackpool Company, or for the payment of which they were or but for this Act would be liable, shall be paid and satisfied, with all interest (if any) due and payable or accruing for the same, by or be recoverable from that Company.

Debts to be paid by Blackpool Company.

11. When all the debts, liabilities, and engagements of the Blackpool Company by this Act made payable by them are paid, satisfied, or discharged, and the said sum of thirty-three thousand six hundred pounds has been paid and distributed in accordance with the provisions of this Act, and their affairs are wound up, the two Companies shall give notice thereof by advertisement in the London Gazette, and on the publication of the advertisement the Blackpool Company shall be by this Act dissolved, and shall wholly cease to exist.

Dissolution of Blackpool Company.

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Two Companies to assume mortgage debt of Blackpool Company.

**12.** As from the first day of July one thousand eight hundred and seventy-one the two Companies shall be liable to pay and shall pay the interest accruing after that date on the existing mortgage debt of the Blackpool Company, not exceeding fifteen thousand pounds, and shall also be liable to pay and shall pay off or otherwise satisfy the said mortgage debt of fifteen thousand pounds granted by the Blackpool Company, when and as the same shall become payable.

Two Companies to assume and redeem preference stock of Blackpool Company.

**13.** As from the first day of July one thousand eight hundred and seventy-one the two Companies shall pay to the holders of the preference stock issued by the Blackpool Company, not exceeding ten thousand three hundred and seventy pounds, interest on such stock at the rate of five pounds per centum per annum: Provided always, that the two Companies may, at any time after the said first day of July one thousand eight hundred and seventy-one, with the consent of four fifths of the holders of such stock present in person or by proxy at a meeting specially convened of such holders for the purpose, redeem all or any part of the said stock, upon the terms and at the times to be determined at such meeting, and upon such redemption being completed the said stock shall be extinguished, and the certificates thereof shall be delivered up to be cancelled.

Power to make railway according to deposited plans.

**14.** Subject to the provisions of this Act, the two Companies may make and maintain in the line and according to the levels shown on the deposited plans and sections the railway herein-after described, with all proper stations, sidings, approaches, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference relating thereto as may be required for that purpose.

The railway herein-before referred to and authorised by this Act is—

A short junction railway four furlongs two chains six links or thereabouts in length, connecting the Lytham Branch of the Preston and Wyre Railway with the Blackpool Railway at Lytham in the county of Lancaster;

And with respect to tolls and charges, and for all other purposes whatsoever, the said railway shall be part of the Preston and Wyre Undertaking.

Period for completion of railway.

**15.** If the railway by this Act authorised, and herein-before described, shall not be completed within four years from the passing of this Act, then, on the expiration of such period, the powers by

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this Act granted to the two Companies for making and completing the said railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

**16.** If the two Companies fail within the period limited by this Act to complete the railway by this Act authorised and herein-before described, the two Companies shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the said railway is completed and opened for public traffic, or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the railway; and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act, and in the same manner as the penalty provided in the third section of the Act seventeen and eighteen Victoria, chapter thirty-one, known as the Railway and Canal Traffic Act, 1854; and every sum of money recovered by way of such penalty as aforesaid shall be paid, under the warrant or order of such court or judge as is specified in the said third section of the Act seventeen and eighteen Victoria, chapter thirty-one, to an account to be opened in the name and with the privity of the Accountant General of the Court of Chancery in England, in the bank named in such order, and shall not be paid thereout, except as herein-after provided; but 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 two Companies were prevented from completing or opening the railway by unforeseen accident or circumstances beyond their control; provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Imposing  
penalty  
unless rail-  
way be  
opened.

**17.** Every sum of money so recovered by way of penalty as aforesaid shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway by this Act authorised or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers conferred upon the two Companies by this Act of taking property for the purposes of such railway, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed, in satisfaction of such compensation as aforesaid, in such manner and in such proportions as to the Court of Chancery in England

Providing  
for applica-  
tion of  
penalty in  
compensa-  
tion to par-  
ties injured  
by non-  
completion  
of railway.

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may seem fit; and if no such compensation shall be payable, or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum or sums of money recovered by way of penalty, or such portion thereof as may not be required as aforesaid, shall be paid to the two Companies.

Power to  
stop up Liggard Lane.

18. Subject to the provisions of this Act, the two Companies may stop up and discontinue, and appropriate to the purposes of the railway by this Act authorised, the public road in the township and parish of Lytham called Liggard Lane, lying between Westby Street and the highway leading from the town of Lytham to Ballam, and all rights of way over and along the said road are hereby extinguished: Provided always, that, before Liggard Lane aforesaid shall be stopped up or so interfered with as to prevent ordinary traffic, the two Companies shall construct and complete, or cause to be constructed and completed, as and for a public highway, a substituted road, with proper drainage, (within the red lines shown on a plan signed by Charles Axon, the engineer of the two Companies, and by Edward Garlick of Preston, civil engineer, as the engineer of the commissioners acting under and by virtue of the Lytham Improvement Act, 1847,) as a continuation of a road in Lytham aforesaid called Station Road, to connect the same with another road there called Ballam Road, shown on the said plan, such substituted road to be at least thirty-six feet wide, including a footpath of six feet wide, except where such road and footpath are formed on the bridges herein-after mentioned, and also shall, as part of such continuation road, construct and maintain a bridge over the said new line of railway, and a bridge over the watercourse shown on the said plan, the width of the road over each such bridge being not less than thirty feet, including the footpath of six feet wide, and the ascent of the roadway of each of the approaches to the said bridges being not more than one foot in thirty feet; and shall also make and complete or cause to be made and completed a good and sufficient cartway properly fenced within the red lines shown on the said plan, for providing proper and convenient access to and from the slaughterhouses shown on the said plan, from and to Station Road aforesaid. The herein-before mentioned works shall be constructed and completed to the reasonable satisfaction of the said commissioners; and in case any dispute or difference shall arise between the said commissioners and the two Companies as to the construction and completion of the said works, or otherwise, the same shall be referred to the said Charles Axon and Edward Garlick, and failing agreement to an engineer to be named by the Board of Trade.



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**19.** The site and soil of the road by this Act authorised to be stopped up and discontinued, and the fee simple and inheritance thereof, shall, to the extent to which the two Companies are the owners of the lands on both sides thereof at the time of the stopping up thereof, be wholly and absolutely vested in the two Companies, and the site and soil of the remainder of the said road shall belong to and be vested in the owner or owners of the enclosed lands adjoining thereto, but nothing herein contained shall prejudice, alter, abridge, or affect the rights, powers, or privileges now vested in the same commissioners acting under and by virtue of the Lytham Improvement Act, 1847," with respect to the altering, enlarging, repairing, and maintaining any sewers, drains, pipes, or works in or under the site and soil of Liggard Lane aforesaid, but, as to such part thereof as shall be vested in the two Companies under this Act according to plans to be agreed upon between the surveyor for the time being of the said commissioners and the engineer for the time being of the two Companies, and failing agreement by an engineer to be appointed by the Board of Trade; and in the exercise of such powers the said commissioners shall interfere as little as may be with the railway and works of the two Companies, and shall make good all damages that may be occasioned thereby.

Site and soil of road stopped up vested in two Companies.

**20.** Subject to the provisions of this Act, the two Companies may from time to time enter upon, take, use, and appropriate to purposes connected with the Preston and Wyre undertaking all or any of the lands following delineated on the deposited plans and described in the deposited books of reference relating thereto; that is to say,

Two Companies may acquire additional lands.

Certain lands and houses in the township and parish of Lytham in the county of Lancaster abutting upon the station of the Blackpool Railway at Lytham and the line of railway leading thereto.

**21.** The powers of the two Companies for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of two years from the passing of this Act.

Period for compulsory purchase of lands.

**22.** The two Companies may demand, take, and recover, of and from the master or owner having the command thereof, in respect of any ship or vessel which shall enter the harbour of Wyre at Fleetwood, the tolls, rates, and charges specified in Schedule A. to this Act: Provided always, that nothing in this Act contained shall authorise the two Companies to demand, take, or recover from the master or owner having the command of any ship or vessel,

Tolls on vessels entering the harbour of Wyre.

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entering the said harbour for the purpose only of mooring or anchoring on the eastern side of the said harbour, any tolls, rates, or charges other than the tolls, rates, and charges which immediately before the passing of this Act they were authorised to demand, take, and recover.

Power to two Companies to take tolls on vessels using buoys, &c. at harbour of Wyre;

**23.** The two Companies may, for the use of the mooring buoys, quays, or piers belonging to them in connexion with the harbour of Wyre at Fleetwood, demand, take, and recover, in respect of the vessels described in Schedule B. to this Act, the tolls, rates, and charges in that schedule specified.

and on passengers using quays, &c.

**24.** The two Companies may, for the use of the quays, piers, and landing-places belonging to them in connexion with the harbour of Wyre at Fleetwood, demand, take, and recover, in respect of the passengers and persons mentioned in Schedule C. to this Act, the tolls, rates, and charges in that schedule specified.

For recovery of harbour and other dues.

**25.** The two Companies shall have and may exercise, for the recovery of the tolls, rates, and charges by this Act authorised to be demanded and taken by them, the same powers, rights, and remedies as by or under the existing Acts relating to the harbour of Wyre at Fleetwood they have and can exercise in respect of the tolls, rates, and charges by those Acts authorised.

Lights to be exhibited at entrance of harbour.

**26.** The two Companies shall, at the entrance of the harbour of Wyre at Fleetwood, exhibit from sunset to sunrise such lights (if any) as the Elder Brethren of the Trinity House of Deptford Strond shall from time to time direct.

Power for Lancashire and Yorkshire Company to raise additional money by creation of shares.

**27.** The Lancashire and Yorkshire Company from time to time may raise, by the creation and issue of new shares, such sums as they shall think necessary, not exceeding sixty thousand pounds, exclusive of the moneys which they are or may be authorised to raise by any other Act or Acts of Parliament; and the Lancashire and Yorkshire Company may create and issue such shares either wholly or partially as ordinary, or wholly or partially as preferential shares, as they may think fit; 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; and the merger and re-issue of forfeited shares;

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The remedies of the 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 ;

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), and Part III. (relating to debenture stock) of the Companies Clauses Act, 1863, shall extend and apply to the Lancashire and Yorkshire Company, and to the additional capital which they are by this Act authorised to raise.

**28.** The Lancashire and Yorkshire 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 not to issue until one fifth paid up.

**29.** If by any other Act passed in the present session of Parliament, whether before or after the passing of this Act, the Lancashire and Yorkshire Company be authorised to raise any capital by new shares, then, subject to the provisions of the other Act and this Act respectively, the Lancashire and Yorkshire Company, if they think fit, may raise, by the creation and issue of new shares of one and the same class, all or any part of the aggregate capital which they are by the other Act and this Act respectively authorised to raise by the creation and issue of new shares.

New shares created by Lancashire and Yorkshire Company under this Act and any other Act of this session may be of same class.

**30.** Except as by or under the powers of this Act otherwise provided, the new shares issued by the Lancashire and Yorkshire Company under the powers of this Act shall, in proportion to the aggregate amount thereof from time to time held by the same person at the same time, entitle the respective holders thereof to the same dividends and profits, and confer on them the like qualifications, and the like right of voting, as the like amount of existing ordinary or preferential shares or stock of the Lancashire and Yorkshire Company.

Qualifications of new shares created by Lancashire and Yorkshire Company.

**31.** The Lancashire and Yorkshire Company may apply to the purposes of this Act any of the moneys 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 them, and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Power to Lancashire and Yorkshire Company to apply corporate funds to purposes of Act.

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Power to  
Lancashire  
and York-  
shire Com-  
pany to  
borrow.

**32.** The Lancashire and Yorkshire Company may borrow on mortgage of their undertaking the sum of twelve thousand pounds, but such power to borrow shall not be exercised by them until shares to the full amount authorised by this Act to be raised by them shall have been issued and taken up, and one half of such amount shall have been paid up, and until the Company shall 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 to the amount aforesaid 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 and taken bonâ fide, and are held by persons or their assigns, and for which such persons or their assigns are legally liable; 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.

Lancashire  
and York-  
shire Com-  
pany may  
create de-  
benture  
stock.

**33.** The Lancashire and Yorkshire Company may from time to time create and issue debenture stock in lieu of borrowing any moneys which under the provisions of this Act they are authorised to borrow.

Former  
mortgages  
to have  
priority.

**34.** All mortgages or bonds granted under the authority of any former Act relating to the Blackpool Company or to the Lancashire and Yorkshire Company respectively, and which shall be in force at the time of the passing of this Act, shall during the continuance thereof have priority over any mortgages to be granted by such respective Company by virtue of this Act.

Power to  
North-west-  
ern Company  
to apply  
corporate  
funds to pur-  
poses of this  
Act.

**35.** The North-western Company may apply to the purposes of this Act any moneys 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 them, and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Application  
of moneys.

**36.** All moneys raised under the authority of this Act shall be applied to the purposes of this Act and for the purposes of the Blackpool Railway only.

Act not to  
affect rights  
of two Com-  
panies inter  
se.

**37.** As between the Lancashire and Yorkshire and North-western Companies, nothing in this Act contained shall directly or indirectly alter or affect the rights, liabilities, or obligations of the two Companies as regards the Preston and Wyre Undertaking.

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**38.** It shall not be lawful for the two Companies (out of any money by this Act or any other Act relating to them respectively authorised to be raised by calls in respect of shares, or by the exercise of any power of borrowing,) to 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 two Companies respectively 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 of the Companies Clauses Consolidation Act, 1845, in that behalf contained.

Interest or dividend not to be paid on calls.

**39.** It shall not be lawful for the two Companies (out of any money by any existing Act relating to them respectively authorised to be raised for the purpose of such Act) to pay or deposit any sum of money which, by any standing order of either House of Parliament for the time being in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the respective Company to construct any other railway or execute any other work or undertaking.

Deposits for future Bills not to be paid out of capital.

**40.** Nothing herein contained shall be deemed or construed to exempt the railways of the two Companies respectively from the provisions 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, and of the rates for small parcels, authorised by any Act relating to the two Companies respectively.

Railways not exempt from provisions of present and future general Acts.

**41.** All the costs, charges, and expenses of and incident to the obtaining of this Act, and preparatory thereto, shall be paid by the two Companies in the proportions in which they hold the Preston and Wyre Undertaking.

Expenses of Act.

[Ch. lxiv.] *The Lancashire and Yorkshire and [34 & 35 VICT.]  
London and North-western Railway Companies  
(Blackpool and Lytham Railway, &c.) Act, 1871.*

A.D. 1871.

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

COASTING TRADE.

	s.	d.
For ships or vessels entering the harbour of Wyre from any port or place in England or Wales between St. Bees Head and the Point of Air the rates following; that is to say,—		
For every such ship or vessel the burthen of which shall not exceed 85 tons register, per ton register - - - - -	0	1
For every such ship or vessel the burthen of which shall exceed 85 tons and not exceed 150 tons register, per ton register - - -	0	1½
For every such ship or vessel the burthen of which shall exceed 150 tons register, per ton register - - - - -	0	2
For every ship or vessel entering the said harbour from any other port or place in the United Kingdom, including the Isles of Jersey, Guernsey, Alderney, Sark, and Man, per ton register - - - -	0	3

FOREIGN TRADE.

For every ship or vessel entering from any other port or place than above specified, per ton register - - - - -	0	6
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SCHEDULE B.

COASTING TRADE as above defined.

For ships or vessels under 85 tons register, 2s. per tide for the first 3 tides.  
 For ships or vessels above 85 tons register, 2s. 6d. per tide for the first 3 tides.  
 The charge on such ships or vessels not to exceed 10s. for the first 12 tides and 10s. every succeeding 12 tides.

FOREIGN TRADE as above defined.

For ships or vessels under 200 tons register, 3s. per tide for the first 3 tides.  
 For ships or vessels above 200 tons register, 3s. 6d. per tide for the first 3 tides.  
 The charge on such ships or vessels not to exceed 15s. for the first 12 tides and 15s. for every succeeding 12 tides.

[34 & 35 VICT.] *The Lancashire and Yorkshire and* [Ch. lxiv.]  
*London and North-western Railway Companies*  
*(Blackpool and Lytham Railway, &c.) Act, 1871.*

A.D. 1871.

SCHEDULE C.

	s.	d.
For every passenger who shall land on or embark from the said quays, piers, or landing-places from or in any boat or undecked vessel, for each and every time - - - - -	0	3
For every passenger who shall land on or embark from the said quays, piers, or landing-places from or in any ship or decked vessel, for each and every time - - - - -	0	6

Each passenger will be allowed to take packages, being his or her property,  
not exceeding together in weight 100 lbs., free of toll.

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