



## CHAPTER lxxii.

An Act for transferring the Mersey Railway Company with respect to the classification of merchandise traffic and the schedule of maximum rates and charges from the Order applicable to the Taff Vale Railway Company to the Order applicable to the East London Railway Company. A.D. 1894.  
[3rd July 1894.]

**W**HEREAS the Mersey Railway is four miles and eight chains in length and about one thousand three hundred yards thereof consists of an exceptionally expensive tunnel under the River Mersey from Liverpool to Birkenhead and a large proportion of the remaining three miles is also in tunnel or covered way under the streets in Liverpool and Birkenhead and the railway involved in its construction an expenditure of about six hundred thousand pounds per mile :

And whereas the working expenses of the railway are exceptionally heavy owing to its very steep gradients and to the necessity of powerful steam pumps being kept constantly at work drawing off the water which percolates through the porous sandstone through which the tunnel under the River Mersey is made and also owing to the cost of the artificial ventilation of the railway tunnel and these expenses added to the ordinary working expenses of the railway absorb at least 75 per cent. of the receipts from the ten millions of passengers carried yearly through the tunnel :

And whereas the net revenue of the Company is only sufficient to pay the full interest on a portion of its debenture capital and for some years past no interest has been paid on the greater portion of the debenture stock and no dividend has been paid on the Company's preference or ordinary shares :

And whereas receivers and managers of the Company's undertaking were appointed by the High Court in 1887 since which time

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A.D. 1894. the undertaking has remained and still is in the hands of the receivers and managers :

And whereas no merchandise traffic other than parcels has hitherto been conveyed on the Mersey Railway :

And whereas in pursuance of the Railway and Canal Traffic Act 1888 the Board of Trade made and settled numerous Provisional Orders containing classifications of merchandise traffic and schedules of maximum rates and charges and included in each of such Provisional Orders one railway company or a group of several railway companies and the Mersey Railway Company was included in a Provisional Order with the Taff Vale Railway Company and several other railway companies whose railways in no way resemble the Mersey Railway either as regards the cost of construction or of working or the general description of the traffic thereon and through inadvertence no objection was made at the proper time by the Company or by the receivers and managers to the Board of Trade or to Parliament :

And whereas it is expedient that the Mersey Railway Company should be transferred from the Provisional Order and group of railway companies in which it was included as aforesaid into some other Provisional Order applicable to railways more nearly resembling the Mersey Railway as regards the cost of constructing and working the railway and the nature of the traffic thereon :

And whereas such transfer 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 :—

Short title.

1. This Act may be cited for all purposes as the Mersey Railway (Rates and Charges) Act 1894.

Mersey  
Railway  
Company  
to be omitted  
from Taff  
Vale Rail-  
way &c.  
Order 1892 :

2. From and after the passing of this Act the Railway Rates and Charges No. 18 (Taff Vale Railway &c.) Order Confirmation Act 1892 and the Order thereby confirmed and the schedule to that Order shall respectively be read and have effect as if the words and expressions "the Mersey Railway Company" and "the Mersey Railway" had not been inserted therein.

And inserted  
in East  
London Rail-  
way &c.  
Order 1892.

3. From and after the passing of this Act the Railway Rates and Charges No. 5 (East London Railway &c.) Order Confirmation Act 1892 and the Order thereby confirmed and the schedule to that Order shall apply to the Mersey Railway Company and the Mersey

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Railway and the traffic thereon as if the Mersey Railway Company and the Mersey Railway had been named in the last-mentioned Order and that Order shall be read and have effect accordingly. A.D. 1894.

4. Nothing in this Act contained shall deprive the Mersey Railway Company of the benefit of the last paragraph on page 9 of the schedule to the Railway Rates and Charges No. 18 (Taff Vale Railway &c.) Order Confirmation Act 1892 which is as follows viz. :—

Saving  
mileage  
allowance in  
respect of  
Mersey  
Tunnel.

“In calculating the distance over which any merchandise is conveyed and for all purposes of rates and charges the Mersey Railway Tunnel under the River Mersey between Liverpool and Birkenhead is to be calculated as five miles”:

And such paragraph shall with reference to the Mersey Railway be transferred to and be deemed to be inserted in the schedule to the Railway Rates and Charges No. 5 (East London Railway &c.) Order Confirmation Act 1892.

5. All 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 and may be paid out of the first debenture stock authorised by the Mersey Railway Act 1892 or out of the moneys raised or to be raised by the issue thereof. Costs of Act.

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