



ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

Cap. cclxviii.

An Act to amalgamate the *Sheffield, Ashton-under-Lyne and Manchester Railway Company*, the *Sheffield and Lincolnshire Junction*, the *Sheffield and Lincolnshire Extension*, and the *Great Grimsby and Sheffield Railway Companies*, and the *Grimsby Dock Company*.

[27th July 1846.]

WHEREAS an Act was passed in the Session of Parliament held in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making a Railway from Sheffield in the West Riding of the County of York to Manchester in the County of Lancaster*, whereby a Company was incorporated called “The *Sheffield, Ashton-under-Lyne, and Manchester Railway Company* :” And whereas another Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to alter and amend some of the Provisions of the Act relating to the Sheffield, Ashton-under-Lyne, and Manchester Railway* : And whereas another Act was passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to increase the*

7 W. 4. & 1 Vict. c. 21.
5 & 6 Vict c. 18.
6 & 7 Vict.

[Local.] *53 A* *Capital c. 9.*

7 & 8 Vict.
c. 83.

8 & 9 Vict.
c. 50.

8 & 9 Vict.
c. 202.

Capital of the Sheffield, Ashton-under-Lyne, and Manchester Railway Company ; and to alter and enlarge the Powers of the said Company : And whereas another Act was passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to enable the Sheffield-under-Lyne and Manchester Railway Company to make a Branch Railway to Ashton-under-Lyne and Stalybridge ; and to alter and enlarge the Powers of the said Company :* And whereas an Act was passed in the last Session of Parliament, intituled *An Act for making a Railway from a Place in the Parish of Bole in the County of Nottingham, near to the Town and Port of Gainsborough, to the Town and Port of Great Grimsby in the Parts of Lindsey in the County of Lincoln, with Branches to the District or Place called New Holland and the Town of Market Rasen, to be called "The Great Grimsby and Sheffield Junction Railway,"* whereby a Company was incorporated, called "*The Grèat Grimsby and Sheffield Junction Railway Company :*" And whereas an Act was passed in the last Session of Parliament, intituled *An Act for making additional Docks and other Works at the Haven of the Town and Port of Great Grimsby ; and for amending the Acts relating to the said Haven,* whereby a Company was incorporated, called "*The Grimsby Dock Company :*" And whereas a Bill is now pending before Parliament by which, if passed into a Law, it is intended to incorporate a Company under the Name of "*The Sheffield and Lincolnshire Junction Railway Company,*" and to authorize such Company to make a Railway from the said *Sheffield, Ashton-under-Lyne, and Manchester Railway to Gainsborough, with Branches :* And whereas another Bill is now pending before Parliament by which, if passed into a Law, it is intended to incorporate a Company under the Name of "*The Sheffield and Lincolnshire Extension Railway Company,*" and to authorize such Company to make a Railway from the said intended *Sheffield and Lincolnshire Junction Railway* to the City of *Lincoln :* And whereas the *Sheffield, Ashton-under-Lyne, and Manchester Railway* is completed and opened to the Public, and the *Great Grimsby and Sheffield Junction Railway*, and the *Grimsby Docks*, are now in the Course of construction : And whereas it is expedient that in the event of the said Bill for incorporating the *Sheffield and Lincolnshire Junction Railway Company* being passed into a Law during the present Session of Parliament, the said Company, and also the *Great Grimsby and Sheffield Junction Railway Company*, and the *Grimsby Dock Company*, should be amalgamated with the *Sheffield, Ashton-under-Lyne, and Manchester Railway Company*, and also that in the event of the said Bill for incorporating the *Sheffield and Lincolnshire Extension Railway Company* passing into a Law during the present Session of Parliament the said intended Company and all the before-mentioned Companies should be amalgamated ; And whereas an Act was passed in the last Session of Parliament for incorporating certain Provisions usually inserted in Acts with respect to the Constitution of Companies, called "*The Companies Clauses Consolidation, Act, 1845 :*" 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 the said Companies Clauses Consolidation Act, 1845, shall, so far as

8 & 9 Vict.
c. 16. incor-

as

as the same is applicable and is not modified by this Act, or inconsistent with the Provisions thereof, be incorporated with this Act. porated with this Act.

II. And be it enacted, That from and after the First Day of *January* which will be in the Year of our Lord One thousand eight hundred and forty-seven, if the Bill now pending before Parliament for authorizing the said intended *Sheffield and Lincolnshire Junction* Railway shall have been passed into a Law, the said *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company, the said *Sheffield and Lincolnshire Junction* Railway Company, the *Great Grimsby and Sheffield Junction* Railway Company, and the *Grimsby Dock* Company, and if both the said Bills for authorizing the said *Sheffield and Lincolnshire Junction* Railway, and the said *Sheffield and Lincolnshire Extension* Railway, shall have been passed into a Law, then also the said *Sheffield and Lincolnshire Extension* Railway Company, shall be incorporated together as one Corporation instead of several Corporations; and from and immediately after the Incorporation, by virtue of this Act, of the said several and respective Companies, the said *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company, the said *Sheffield and Lincolnshire Junction* Railway Company, the said *Sheffield and Lincolnshire Extension* Railway Company, the said *Great Grimsby and Sheffield Junction* Railway Company, and the said *Grimsby Dock* Company, or such of them as shall become incorporated by virtue of this Act, shall cease to exist as separate Companies, and shall be accordingly dissolved. Certain Railway Companies herein named shall, after Jan. 1, 1847, cease to exist as separate Corporations.

III. And be it enacted, That from and after the said First Day of *January* One thousand eight hundred and forty-seven, the several Persons and Corporations who on or immediately before that Day were Proprietors of Shares in the said dissolved Companies or any of them, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making, working, completing, and maintaining the several Works and Undertakings of the said dissolved Companies, under the Authorities of this Act, and the several Acts which may be then in force relating to such Works and Undertakings respectively, and for the Purposes aforesaid shall be incorporated by the Name of "*The Manchester, Sheffield, and Lincolnshire* Railway Company," and by that Name shall be a Body Corporate, and have a Common Seal, with perpetual Succession, and shall have Power to purchase and hold, sell and dispose of, Lands, within the Restrictions herein-after contained, for the Purposes of this Act. New Company incorporated.

IV. And be it enacted, That all such and so many of the Provisions in the said recited Acts relating to the Constitution and Management of said Companies respectively as may be inconsistent with or as may be otherwise provided for by this Act, expressly or by Reference, or by the said Companies Clauses Consolidation Act as extended to this Act, shall be and they are hereby repealed. Certain Provisions of the recited Acts repealed.

V. And be it enacted, That from and immediately after the said First Day of *January* One thousand eight hundred and forty-seven the several Undertakings of the said dissolved Companies, and the said Undertakings of the dissolved Company to said

vest in the
new Com-
pany.

said Railways and Branch Railways, Haven, Docks, and all Cuts, Canals, and other Works which may belong to the same Companies or any of them at the Time of their Incorporation by virtue of this Act, and all Works attached thereto, or made or provided for the Purposes thereof respectively, or for the Use of the same Companies respectively, or any of them, and whether the same Railways, Branch Railways, Haven, Docks, Cuts, Canals, or Works shall at the Time of such Incorporation have been already made, completed, or improved, or shall be in the course of making, Completion, or Improvement, and all Powers and Authorities in the said recited Acts or any of them contained for making, completing, improving, adding to, or maintaining, or in anywise relating or incident to the making, completing, improving, adding to, or maintaining, the Railways, Branch Railways, Haven, Docks, Cuts, Canals, or Works, or any of them, in and by the same Acts or any of them authorized to be made, completed, improved, added to, or maintained, and which may not at the Time of such Incorporation as aforesaid have been commenced, completed, or improved respectively, and all Powers and Authorities which by any Act or Acts to be passed in the present Session of Parliament may be granted to the said Companies or any of them who may be incorporated by this Act for making, completing, or maintaining, altering, varying, or improving, or in anywise relating or incident to the making, completing, maintaining, altering, varying, or improving, any Railways, Branch Railways, Haven, Docks, Cuts, Canals, or Works, and also all Stations, Embankments, Drains, Tunnels, Arches, Piers, Bridges, Sluices, Gates, Ways, Roads, Landing Places, Quays, Wharfs, Warehouses, and other Buildings made or constructed or to be made or constructed, or which may be authorized to be made or constructed by any such Act or Acts as aforesaid, and all Lands, Tenements, Hereditaments, Easements, Rights, Powers, and Privileges, Cranes, Weighing Machines, Engines, Rails, and Appurtenances, to the said Railways, and to all Branch Railways, Haven, Docks, Cuts, Canals, and Works belonging, whatsoever of or to which the said dissolved Companies or any of them shall be seised, possessed, or entitled at Law or in Equity immediately before such Incorporation, shall be well and effectually vested in and belong to the said *Manchester, Sheffield, and Lincolnshire* Railway Company for their absolute Benefit; and such Railways, Branch Railways, Haven, Docks, Cuts, Canals, and Works as shall so become vested shall be called the *Manchester, Sheffield, and Lincolnshire* Railways; and from and immediately after such Incorporation by virtue of this Act the said Company so to be incorporated shall accordingly have and be entitled to exercise all such Powers and Authorities as aforesaid for executing, completing, maintaining, altering, varying, and improving such Works as aforesaid as the said dissolved Companies were entitled to, or shall or may become entitled to under the said recited Acts, or any Act or Acts which may be passed in the present Session of Parliament as aforesaid, and as fully as if the said Company to be incorporated by virtue of this Act had been the Company originally authorized to execute, make, complete, maintain, alter, vary, or improve the same instead of the Company actually authorized to execute, make, complete, maintain, alter, vary, or improve the same: Provided nevertheless, that where any particular

cular Time is or shall be by the said Acts or any of them limited for the Execution or Completion of such Works, the same shall and may be so executed and completed within the Period so limited.

VI. And be it enacted, That from and immediately after the said First Day of *January* One thousand eight hundred and forty-seven all the Partnership Monies, Goods, Chattels, Steam and other Engines, Carriages, Waggons, Trucks, Machines, Ropes, Live and Dead Stock, Shares, Bonds, Deeds, Securities, Books, Writings, Maps, Plans, and other Personal Estate and Effects of or to which the said dissolved Companies or any of them were possessed or entitled at Law or in Equity on or immediately before the said Incorporation by virtue of this Act, shall be vested in and belong to the Company to be incorporated by virtue of this Act for their absolute Benefit; and all Persons and Corporations who immediately before such Incorporation owed any Sum of Money to the said dissolved Companies or any of them, or to any Person on their Behalf, shall after such Incorporation pay the same, together with all Interest, if any, due or to accrue due for the same, to the Company who may be incorporated by virtue of this Act; and all Debts and Monies which immediately before such Incorporation were due and owing by or recoverable from the said dissolved Companies, or any or either of them, or for the Payment of which they, or any or either of them, were or but for the passing of this Act would have been or continued liable, shall be paid, with all Interest, if any, due and to accrue due thereon, by or be recoverable from the Company who may be incorporated by virtue of this Act; and all Conveyances, Contracts, Agreements, Mortgages, Bonds, Bills, Notes, Covenants, and Securities made or entered into before the Incorporation by virtue of this Act, to, with, in favour of, or by or for the said dissolved Companies or any of them, or any Person on their Behalf, shall after such Incorporation be and remain as good, valid, and effectual in favour of, against, and with reference to the Company who may be incorporated by virtue of this Act, and may be proceeded on and enforced in the same Manner, to all Intents and Purposes, as if the same Company had been a Party to and executed the same, or had been named or referred to therein instead of the Persons, Company, or Party actual named therein respectively.

Chattels and
Choses in
Action
vested in
Company.

VII. Provided always, and be it enacted, That nothing herein contained shall extend in any way to defeat, affect, or prejudice any Rights, Privileges, Liberties, Powers, Easements, Accommodations, or Exemptions which, under or by virtue of the said recited Acts or any of them, are given, granted, continued, or reserved, or which, under or by virtue of any Act or Acts to be passed in the present Session of Parliament relating to the Companies or any of them who may be incorporated by virtue of this Act, may be given, granted, continued, or reserved, to or for the Benefit of Persons and Corporations whose Estates, Properties, or Interests are, have been, or may be in any wise affected in or by the making or maintaining or otherwise on account of the Railways, Branch Railways, Haven, Docks, Cuts,

Reserving
Rights of
Landowners.

Canals, and Works by the said recited Acts respectively authorized to be made, improved, and maintained, or to be authorized to be made, improved, and maintained by any Act or Acts which may be passed in the present Session of Parliament relating to the said Companies or any of them who may be incorporated by virtue of this Act, or to which such Persons and Corporations are or may be or become otherwise entitled under or by virtue of such Acts or any of them, but all such Rights, Privileges, Liberties, Powers, Easements, Accommodations, and Exemptions shall, after the Incorporation by virtue of this Act, be, and they are hereby declared to be, as valid and effectual as if this Act had not passed; and such several Persons and Corporations shall be entitled to, and shall have, use, and enjoy, the same Rights, Privileges, Liberties, Powers, Easements, Accommodations, and Exemptions, or such and so many of them, as upon or immediately before such Incorporation by virtue of this Act they were entitled to have, use, and enjoy, as fully and effectually as if this Act had not passed, and shall and may after such Incorporation have and be entitled to such or the like Powers and Remedies upon and against the said Company who may be so incorporated by virtue of this Act for securing the Possession, Use, and Enjoyment of such Rights, Privileges, Easements, Accommodations, and Exemptions as, under the Provisions of the said recited Acts, they had or were or might have been entitled to against the said dissolved Companies or any of them in case this Act had not been passed; and all such Penalties, Damages, Monies, Costs, and Expences, as under the Provisions of the said recited Acts, or any Act or Acts, to be passed in the present Session of Parliament relating to the Companies, or any of them who may be incorporated by virtue of this Act, would or hereafter might have become payable to or recoverable by such Persons and Corporations as aforesaid of and from the said dissolved Companies or any of them in case this Act had not been passed, shall and may, after the Incorporation by virtue of this Act, be payable by and recoverable from the Company who may be incorporated by virtue of this Act in such Manner and by such Ways and Means as the same are respectively made payable and recoverable under the Provisions of the said recited Acts or any of them, or any Act or Acts to be passed in the present Session of Parliament relating to the said Companies or any of them: Provided also, that nothing herein contained shall extend to affect or prejudice in any respect the Rights of Owners and Occupiers of Lands, Mines, and Minerals, and other Works, in and to the several private Branches, Communications, and Railways, whether made in pursuance of the Powers and Provisions contained in the several recited Acts or any of them, or with the Consent of Owners, and communicating with the said Railways or any of them, but that such several Owners and Occupiers shall, notwithstanding the Dissolution of the several Companies who may be incorporated by virtue of this Act, have, use, and enjoy the same Rights and Privileges in respect of such private Branches, Communications, and Railways as immediately before such Incorporation they respectively were entitled to have, use, and enjoy under or by virtue of the said recited Acts or any of them, and as fully and effectually, in all respects as if this Act had not passed.

VIII. And

VIII. And be it enacted, That all Works and Things which, under the Provisions of the said recited Acts or any of them, the said dissolved Companies or any of them were bound, required, empowered, or made liable to make, construct, improve, complete, or maintain, or which, under the Provision of any Act or Acts to be passed in the present Session of Parliament relating to the Companies who may be incorporated by virtue of this Act, or any of them, the same Companies or any of them may be bound, required, empowered, or made liable to make, construct, improve, complete, or maintain, and all Repairs thereof respectively, and all Regulations and Restrictions which, under the Provisions of the said recited Acts or any of them, were or which, under the Provisions of such other Acts, may be imposed upon or required to be observed by the said Companies, who may be incorporated by virtue of this Act or any of them, for the Safety, Protection, Accommodation, Convenience, Enjoyment, and Benefit of Persons and Corporations whose Estates, Property, or Interests were or might or may be affected by the making and maintaining of the said Railways, Branch Railways, Haven, Docks, Cuts, Canals, and Works by such Acts or any or either of them authorized or to be authorized to be made and maintained, and for the Protection of such Estates, Properties, and Interests, and for securing the Enjoyment of such Estates, Properties, and Interests, as aforesaid, and all such Payments, annual and in gross, as, under the Provision of the said recited Acts or any of them, or which, under the Provisions of any Act or Acts to be passed in the present Session of Parliament, are or may be required to be made by the said Companies who may be so incorporated by virtue of this Act, or any of them, or such and so many of the aforesaid Works, Acts, Matters, Things, Regulations, Restrictions, and Payments as the said Companies or any of them would have been bound or liable to construct, complete, improve, maintain, make, do, execute, observe, perform, or pay in case this Act had not passed, shall after such Incorporation by virtue of this Act, be constructed, completed, improved, maintained, made, done, executed, observed, performed, and paid by the Company so incorporated as fully to all Intents and Purposes as the same were or may be by the aforesaid Acts or any of them required to be constructed, completed, improved, maintained, made, done, executed, observed, performed, and paid by the said Companies, or any or either of them, to whom the said Acts do or may respectively relate, and as fully as if the several Provisions in the said Acts, or any or either of them, contained in reference thereto respectively, had been specially enacted in reference to the Company who may be incorporated by virtue of this Act.

Preserving
Works of
Accommo-
dation.

IX. And be it enacted, That all the said recited Acts, and all other Acts which may be passed in the present Session of Parliament relating to the Companies who may be incorporated by virtue of this Act, or any of them, shall, so far as such Acts or some of the Provisions thereof are not repealed, altered, or otherwise provided for, or inconsistent with the Provisions of this Act, or the said Lands Clauses Consolidation Act incorporated herewith, relate and apply to the Company who may be incorporated by virtue of this Act as fully and effectually to all Intents and Purposes as such Acts respectively,

Acts of the
dissolved
Companies
to apply to
the new
Company.

at

at or immediately before such Incorporation shall relate and apply to any of the said dissolved Companies, and as if the Company to be incorporated by virtue of this Act had been originally named or referred to therein, instead of the dissolved Company which shall be actually named or referred to therein; but so nevertheless that such of the said Acts as relate to the *Sheffield, Ashton-under-Lyne, and Manchester* Railway shall apply to the Company who may be incorporated by virtue of this Act in respect only of the said *Sheffield, Ashton-under-Lyne, and Manchester* Railway, and such of the said Acts as relate to the *Sheffield and Lincolnshire Junction* Railway shall apply to the Company who may be incorporated by virtue of this Act in respect only of the *Sheffield and Lincolnshire Junction* Railway, and such of the said Acts as relate to the *Great Grimsby and Sheffield Junction* Railway shall apply to the Company who may be incorporated by virtue of this Act in respect only of the *Great Grimsby and Sheffield Junction* Railway; and such of the said Acts as relate to the *Grimsby Docks* shall apply to the Company who may be incorporated by virtue of this Act in respect only of the said *Grimsby Docks*, and such of the said Acts as relate to the *Sheffield and Lincolnshire Extension* Railway shall apply to the Company who may be incorporated by virtue of this Act in respect only of the said *Sheffield and Lincolnshire Extension* Railway.

Actions, &c. pending previously to the Incorporation of the Companies not to abate. X. And be it enacted, That no Action, Suit, Prosecution, or legal Proceeding whatsoever, and no Reference to Arbitration, which may be pending or have been commenced, nor Notice which may have been given, previously to the Incorporation of the said Companies by virtue of this Act, between, or by, to, or against, the said dissolved Companies or any of them and any other Person or Corporation, or in which any of the said dissolved Companies shall or may be Parties or concerned, shall abate or be in any Manner prejudiced or affected by reason of this Act, but all such Actions, Suits, legal Proceedings, and References to Arbitration, and Notices, both in favour of and against the Company who may be incorporated by virtue of this Act, shall or may be proceeded with and determined, and take effect and be acted upon, and like Decisions and Awards had therein, in the same Manner in all respects as the same would have continued and taken effect, and been determined and decided and acted upon, in relation to the said dissolved Companies or any of them if this Act had not been passed; and all Penalties incurred by any Offence against the Provisions of the Acts relating or which shall relate to the Companies who may be incorporated by virtue of this Act, or either of them, previously to such Incorporation, shall and may be sued for, and all Offences which may have been committed before such Incorporation against the Provisions of the same Acts or either of them may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been sued for and prosecuted respectively if this Act had not been passed, the Company hereby incorporated being in reference to the Matters aforesaid in all respects substituted in the Place of the said dissolved Companies.

Books, &c., notwithstanding. XI. And be it enacted, That all Books and other Documents whatsoever by the said recited Acts or any of them, or by any Act relating

relating to the said Companies who may be incorporated by virtue of this Act which may be passed in the present Session of Parliament, authorized or directed to be kept, and thereby made Evidence, shall, notwithstanding the Dissolution of the said respective Companies, and the Incorporation by virtue of this Act, be admitted as Evidence in all Courts of Law and Equity or elsewhere.

standing Incorporation of Companies, to be Evidence.

XII. And be it enacted, That the several Maps or Plans and Books of Reference which prior to or in pursuance of the said recited Acts or any of them have been deposited, and the several Maps or Plans and Books of Reference which prior to or in pursuance of any Act or Acts to be passed in the present Session of Parliament may be or have been deposited, with the respective Clerks of the Peace of the several Counties to which the same relate, shall remain in the Custody of the said Clerks of the Peace respectively to the end that all Persons interested in any Manner therein may at all reasonable Times have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom at their Pleasure, such Persons paying to such Clerks from whom such Inspection or Copy or Extract may be demanded respectively the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copy or Extract; and the said Maps or Plans and Books of Reference, or any Copy thereof, or of so much thereof respectively as shall relate to any Matter which may be in question, certified to be a true Copy by the respective Clerks who have made the same, shall be admitted as Evidence in all Courts of Law and Equity or elsewhere.

Maps, &c. deposited to remain with the Clerks of the Peace, and to be open to Inspection.

XIII. And be it enacted, That the first Directors of the Company to be incorporated by virtue of this Act shall be the Persons following; (that is to say,) *John Parker M.P., John Chapman, Michael Ellison, Thomas Blake, Cornelius Randall, Charles Turner, Joseph St. John Yates, Richard Matley, John Jobson Smith, John Woodcroft, Mariano Martin de Bartolomé, Lord Worsley M.P., James Wall, George Fieschi Heneage, George Monier Williams, and Richard Thorold.*

First Directors of the Company

XIV. And be it enacted, That the Number of Directors shall be Sixteen, and the Qualification of a Director shall be the Possession in his own Right of Shares in the Company to be incorporated by virtue of this Act of the nominal Amount or Value of at least One thousand Pounds.

Number and Qualification of Directors.

XV. And be it enacted, That it shall be lawful for the Company to be incorporated by virtue of this Act to increase or reduce the Number of Directors, provided that the increased Number do not exceed Twenty, and that the reduced Number be not less than Twelve.

Power to vary the Number of Directors.

XVI. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held after the said First Day of *January* One thousand eight hundred and forty-seven (and which Meeting it is hereby declared shall be held [Local.] 53 C within 1847.

Directors to continue in Office till first Meeting after 1st Jan. 1847.

within Two Calendar Months from and after that Day); and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Place of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

As to the
Election
of new
Directors.

XVII. And be it enacted, That at the first Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected 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 said Companies Clauses Consolidation Act contained; and the several Persons elected at any such Meeting, being neither removed or disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said Companies Clauses Consolidation Act.

Directors to
go out by
Rotation.

XVIII. And be it enacted, That the Number of Directors annually to go out of Office shall be One Third, as near as may be, of the entire Numbers of Directors.

Company
may create
Shares

XIX. And be it enacted, That it shall be lawful for the Company who may be incorporated by virtue of this Act, and they are hereby required, so soon as may be practicable, to create Seven thousand Shares of the nominal Value of One hundred Pounds each, and Ten thousand six hundred and forty Shares of the nominal Value of Twenty-five Pounds each, which shall for the Purposes of this Act be respectively called "*Sheffield and Manchester Shares*;" and Eighteen thousand Shares of the nominal Value of Twenty-five Pounds each, which shall, for the Purposes of this Act be called "*Sheffield and Manchester Preference Shares*;" and Twelve thousand Shares of the nominal Value of Fifty Pounds each, which shall for the Purposes of this Act be called "*Great Grimsby and Sheffield Shares*;" and Sixteen thousand eight hundred Shares of the nominal Value of Twenty-five Pounds each, which shall for the Purposes of this Act be called "*Grimsby Dock Shares*;" and Twenty-eight thousand Shares of the nominal Value of Twenty-five Pounds each, which shall for the Purposes of this Act be called "*Sheffield and Lincolnshire Shares*;" and in case the said *Sheffield and Lincolnshire Extension* Railway Company shall become amalgamated under the Provisions of this Act with the said other amalgamating Companies, then to create additionally Ten thousand Shares of Twenty-five Pounds each, which shall for the Purposes of this Act, be called "*Sheffield and Lincolnshire Extension Shares*."

Allotments
of Shares.

XX. And whereas the present Share Capital of the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company consists of Seven thousand Shares of the nominal Value of One hundred Pounds each, and Ten thousand six hundred and forty Shares of the nominal Value of Twenty-five Pounds, and Eighteen thousand Shares of the like nominal Value of Twenty-five Pounds, which last-mentioned Shares are guaranteed to pay Dividends to the Holders thereof at the Rate at the least of Seven Pounds Ten Shillings *per Centum per Annum*, for Ten Years,

Years, which will expire on the First Day of *November* One thousand eight hundred and fifty-three : And whereas the present Share Capital of the *Great Grimsby and Sheffield Junction* Railway Company consists of Twelve thousand Shares of the nominal Value of Fifty Pounds each : And whereas the present Share Capital of the *Grimsby Dock* Company consists of Sixteen thousand eight hundred Shares of the nominal Value of Twenty-five Pounds each, (of which Four thousand Shares are under the said recited Act incorporating the same Company considered as paid up in full) ; be it enacted, That every Person and Corporation who immediately before the Incorporation to be made by virtue of this Act shall be entitled to One or more Shares in the Capital of the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company of the nominal Value of One hundred Pounds shall, in lieu thereof, for each such Share become entitled to One of the said *Sheffield and Manchester* Shares of the like nominal Value of One hundred Pounds ; and every Person and Corporation who at the Period aforesaid shall be entitled to One or more Shares in the Capital of the said *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company of the nominal Value of Twenty-five Pounds (not being One of the said guaranteed Shares), shall in lieu thereof be entitled for each such Share to One of the said *Sheffield and Manchester* Shares of the nominal Value of Twenty-five Pounds ; and every Person and Corporation who at the Period aforesaid shall be entitled to One or more of the said guaranteed Shares in the Capital of the said *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company shall for each such Share be entitled to One of the said *Sheffield and Manchester* Preference Shares ; and every Person and Corporation who immediately before such Incorporation shall be entitled to One or more Shares in the Capital of the said *Great Grimsby and Sheffield Junction* Railway Company shall for each such Share become entitled to One of the said *Great Grimsby and Sheffield* Shares ; and every Person and Corporation who immediately before the Incorporation by virtue of this Act shall be entitled to One or more Shares in the Capital of the *Grimsby Dock* Company shall for each such Share become entitled to One of the said *Grimsby Dock* Shares ; and every Person and Corporation who immediately before the Incorporation by virtue of this Act shall be entitled to One or more Shares in the Capital of the said *Sheffield and Lincolnshire Junction* Railway shall for each such Share become entitled to One of the said *Sheffield and Lincolnshire* Shares ; and such Shares respectively are hereby vested in such Persons and Corporations accordingly ; and in case the *Sheffield and Lincolnshire Extension* Railway Company shall also become amalgamated, under the Provisions of this Act, with the said other amalgamating Companies, then every Person and Corporation who immediately before the Incorporation by virtue of this Act shall be entitled to One or more Shares in the Capital of the said *Sheffield and Lincolnshire Extension* Railway Company shall for each such Share become entitled to One of the said *Sheffield and Lincolnshire Extension* Shares, and such last-mentioned Shares shall be vested in the aforesaid Persons and Corporations accordingly.

XXI. And be it enacted, That all Persons and Corporations in whom any of the said new or substituted Shares shall become vested under

New Shares
to be subject
to the same

Trusts as
old Shares.

under the Provisions herein-before contained shall stand and be possessed of every such Share upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances, as the Trusts, Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances, upon and to which the original Share or Shares for which such new Share or Shares was or were substituted was or were subject and liable immediately before such Substitution took place, and so as to give effect to and not revoke any Will or other testamentary Instrument disposing of or affecting such original Share or Shares.

Calls paid
upon the
original
Shares to be
considered
as paid upon
the substi-
tuted
Shares.

XXII. And be it enacted, That all Sums of Money, if any, which at the Time of the Incorporation by virtue of this Act shall have been called up and paid, or called up but not paid, for or on account of any Shares in lieu or substitution for which any Share or Shares shall be given or granted by virtue of this Act, including the said paid up Shares in the said *Grimsby Docks Company*, shall be considered as having been called up and paid, or called up and not paid, (as the Case may be,) for or on account of the new Shares which shall be substituted for such original Shares by virtue of this Act.

Until the
Works com-
pleted,
Sheffield and
Manchester
Railway
Company to
share
Profits, and
other Com-
panies to
be paid
Interest.

XXIII. And be it enacted, That until all the Undertakings which shall be vested in the Company to be incorporated by virtue of this Act under the Provisions of this Act shall be completed the Holders of the said *Sheffield and Manchester* Shares and *Sheffield and Manchester* Preference Shares shall alone be entitled to divide amongst themselves the Profits to be derived from the *Sheffield, Ashton-under-Lyne, and Manchester* Railway in such Manner as they would have divided the same Profits in case this Act had not been passed; and the Holders of the other Shares of the Company to be incorporated by virtue of this Act shall be entitled to Interest on the Amount called up and paid by them on their respective Shares at the Rate of Five Pounds *per Centum per Annum*, from the Time of such Payment till all the said unfinished Undertakings shall be completed and open to the Public: Provided always, that no Interest shall accrue to the Proprietor of any Share upon which any Call shall be in arrear in respect of such Share, or of any other Share held by the same Proprietor, while such Call shall remain unpaid; and provided always, that nothing herein contained shall entitle the Proprietors of the said paid up Shares in the said *Grimsby Docks Company* to Interest on any larger Sum for the Time being than such Proprietors would have been entitled to if this Act had not been passed.

Saving
Rights of
Proprietors
of guaran-
teed Shares.

XXIV. Provided also, and be it enacted, That the Holders of the said *Sheffield and Manchester* guaranteed Shares shall be entitled to Dividends at the Rate of Seven Pounds Ten Shillings *per Centum per Annum* upon such Shares, in like Manner as they would have been entitled to Dividends of the same Amount if this Act had not been passed, and shall and may have and exercise all such Rights, Powers, and Remedies in respect thereof against the Company to be incorporated by virtue of this Act, and the other Shareholders thereof, as they

they now have and may exercise against the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company, and the other Shareholders of such last-mentioned Company, in respect of the original Shares for which such *Sheffield and Manchester* guaranteed Shares shall be substituted.

XXV. And be it enacted, That the Proprietors of Capital in the Company to be incorporated by virtue of this Act to the Amount of One thousand Pounds or under (such Capital to be calculated according to the nominal Amount or Value of the Shares held by such Proprietor) shall be entitled to One Vote in Meetings of the said Company for every One hundred Pounds of the said Capital to which such Proprietor shall be entitled; and the Proprietor of any larger Amount shall be entitled to One Vote at such Meetings for every Three hundred Pounds of such Capital to which he shall be so entitled over and above the Sum of One thousand Pounds, and in addition to the Votes to which he shall be entitled in respect of such One thousand Pounds.

Scale of
voting.

XXVI. And be it enacted, That after Shares for the whole of the Capital in Shares by this Act authorized to be created shall have been taken, and One Half thereof shall have been paid up within the Meaning of this Act, it shall be lawful for the Company to be incorporated by virtue of this Act to borrow on Mortgage such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the said Company, not exceeding in the whole, together with such Sums as may have been raised by the said hereby dissolved Companies or any of them previous to their Dissolution on Mortgage of their respective Undertakings, and as may be still subsisting as a Charge thereon, One Third Part of the Share Capital of the said Company hereby incorporated, and to secure the Payment of the Sums so to be borrowed, with Interest, by Mortgage of the entire consolidated Undertaking of the said Company.

Power to
raise Money
on Mort-
gage.

XXVII. Provided nevertheless, and be it enacted, That as to so much and such Part or Parts (if any) of the Monies which, under or by virtue of the said recited Acts or any of them, were authorized to be borrowed or raised by the said respective Companies to whom the said respective Acts relate as have not been already borrowed or raised, the same may, after the Incorporation by virtue of this Act, be borrowed and raised by the Company who may be incorporated by virtue of this Act; and all the Provisions and Powers in the said recited Acts or any of them contained in reference to the borrowing or raising of Money shall and may, so far as respects the Monies which may be so borrowed or raised as last aforesaid, be, after such Incorporation, applicable to the Company so to be incorporated, the Name of the same Company being substituted for the Name of the Company actually authorized to raise or borrow the same; and such Money may be borrowed upon the Security of the Undertaking and Works as the same may be amalgamated or united by virtue of this Act, and as well as to, for, and concerning the Monies which may be so hereafter borrowed or raised as also any other Monies which may have been so already borrowed or raised by the said respective

Money bor-
rowed by
Companies
under pre-
vious Acts
to be con-
sidered as
Part of
Money bor-
rowed by
Company
incorporated
by this Act.

Companies as aforesaid under the Powers of the said recited Acts or any of them, the Amount so borrowed or raised shall be considered as a Part of the Monies authorized to be borrowed and raised by Mortgage or Bond under the Provisions of this Act; but nothing herein contained shall extend to prevent or hinder the borrowing and raising, but on the contrary it shall be lawful for the Company who may be incorporated by virtue of this Act to borrow and raise, either under the Powers of the said recited Acts respectively, or under the Powers of this Act, any Monies not exceeding together the Amount authorized to be borrowed by the said recited Acts for the Purpose of paying off the Monies which may have been so for the Time being borrowed or raised, and to pay off, and again in like Manner to re-borrow, the Amount for the Purposes aforesaid; and all and every the Powers, Provisions, and Forms in this and the said recited Acts, or any or either of the same, in reference to the raising and borrowing of Money, provided, directed, or contained, may, as far as Circumstances will permit, be applicable to the Objects and Purposes of this present Enactment accordingly.

Certain
Mortgages
to have Pri-
ority.

XXVIII. Provided always, and be it enacted, That nothing herein contained shall be held to affect the Validity of any Mortgage on the separate Undertaking of any of the said hereby dissolved Companies which may be subsisting at the Time of the Dissolution of such Company, but all such Mortgages shall during the Continuance thereof have Priority over all Mortgages to be created under the Powers of this Act.

Acts of the
present Ses-
sion relating
to the amal-
gamating
Companies
to apply to
the new
Company.

XXIX. And whereas the said Companies incorporated by the said recited Acts, or some of the same Companies, are promoting Bills in Parliament for authorizing the Construction of Branch Railways and other Works to be connected with their respective Undertakings, and, for the Purposes of such Branch Railway Undertakings, and Works, for raising additional Capital by Creation of Shares; be it enacted, That all Acts which have been or may be passed in this present Session of Parliament authorizing any of the Companies who may be incorporated by virtue of this Act to construct and maintain or execute any other Work shall, after the Incorporation by virtue of this Act, relate and apply to the Company to be incorporated by virtue of this Act as fully and effectually to all Intents and Purposes as if such Company had been originally named or referred to therein instead of the dissolved Company which shall be actually named or referred to therein; and as respects the Capital authorized or to be authorized by any such last-mentioned Acts to be raised by Shares for the Purposes of such Branch Railway Undertakings, it shall be lawful for the Company who may be incorporated by virtue of this Act to create, in addition to the Number of Shares authorized to be created as aforesaid, such further Number of Shares, of such nominal Amount, and of such Denomination, as the said Company may think convenient for the rateable Division thereof amongst the Parties entitled thereto as hereafter mentioned; and any Person and Corporation who shall be entitled to One or more of such Shares, or to whom the same would have been allotted if the Incorporation by virtue of this Act had not taken place, shall immediately after such Incorporation have and be entitled

entitled to, and the said Company shall allot to him and them, a like Number of such Shares in the whole Capital of the Company to be incorporated by virtue of this Act as he or they were or would have been previously entitled to in such respective Branch Railway Undertakings, and Works; and the several Persons and Corporations who may be or become entitled to the said Shares in lieu or substitution for Shares in the respective Capitals of the said Branch Railway Undertakings, and Works, shall and may continue to have, hold, and enjoy the same as fully as if the same had been Shares of the same Amount created under, or to which the same Persons and Corporations had or would have become entitled under the Provisions of this Act.

XXX. And be it enacted, That the several Persons and Corporations who, under the Provision last herein-before contained, shall become entitled to any Share or Shares in the Capital of the Company who may be incorporated by virtue of this Act, shall have and be entitled to all such Liberties and Privileges of voting at Meetings of the same Company as are in and by this Act given to or conferred on Persons and Corporations who may become, under the Provisions of this Act, entitled to any Share or Shares of the same nominal Amount or Value as the Shares in respect whereof such Liberties and Privileges are hereby granted or conferred: Provided nevertheless, that until the Completion of the respective Branch Railway Undertakings, and Works, and the opening of the same for the Use of the Public, the Holders of the said Shares hereby given or granted in lieu or substitution for Shares in the respective Capital of the said Branch Railway Undertakings shall not be entitled to receive or participate in any Dividends or Share of Profits of or in the Capital of the Company which may be incorporated by virtue of this Act, but in lieu and stead of any such Dividends or Profits the Holders of such Shares shall be entitled to Interest upon the Sum or Amount of Capital for the Time being actually paid up by them in respect of their Shares after the Rate, and at the Time, and in the Manner herein-before mentioned or provided of and concerning the said other Shares in respect whereof no Division of Profits is authorized to be made.

Privileges
of Share-
holders in
Branch
Railways
authorized
in the pre-
sent Session
of Parlia-
ment.

XXXI. And be it enacted, That the Company to be incorporated by virtue of this Act may lawfully demand and receive in respect of the Use of the said Railways, and of Carriages and Engines employed thereon respectively, any Rates, Tolls, and Charges, not exceeding the Rates, Tolls, and Charges following; (that is to say,)

Maximum
Rates of
Tolls.

For every Passenger conveyed in or by any Express Train, the Sum of Two-pence *per Mile*:

For every Passenger conveyed in a First-class Carriage by any other Trains, the Sum of One Penny Halfpenny *per Mile*:

For every Passenger conveyed in a Second-class Carriage by any such other Train, the Sum of One Penny *per Mile*:

For every Passenger conveyed in a Third-class Carriage by any such other Train, the Sum of Three Farthings *per Mile*.

And

For Cattle,
Goods, &c.

And with respect to Horses, Cattle, Carriages, and Goods, as follows :

For every Horse, Mule, and other Beast of Draught or Burthen, Two-pence *per* Mile :

For Cattle, the Sum of One Penny *per* Head *per* Mile :

For Calves and Pigs, Sheep and small Animals, One Halfpenny each *per* Mile :

For every Carriage, Three-pence *per* Mile :

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Pig and Bar Iron, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, and Salt, the Sum of One Penny *per* Ton *per* Mile :

For all Coal, Slack, Cannel, Coke, Culm, and Cinders passing any Distance not exceeding Fifty Miles, the Sum of Three Farthings *per* Ton *per* Mile ; and if passing a Distance exceeding Fifty Miles, Five Eighths of a Penny *per* Ton *per* Mile for the whole Distance travelled :

For Sheet Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron, One Penny Halfpenny *per* Ton *per* Mile :

For Sugar, Grain, Corn, Flour, Hides, Dyewoods, *Manchester* Packs, Earthenware, Timber, Staves, Deals, Metals, Nails, Anvils, Vices, and Chains, the Sum of Two-pence *per* Ton *per* Mile :

For Cotton and other Wools, Drugs and manufactured Goods, the Sum of Two-pence Halfpenny *per* Ton *per* Mile :

For Fish, Feathers, Canes, Cochineal, Household Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, the Sum of Three-pence *per* Ton *per* Mile :

Provided always, that with respect to all the Matters aforesaid passed over the Railway for a less Distance than Six Miles the Company to be incorporated by virtue of this Act may demand Tolls as for Six Miles, and with respect to Coals, Slack, Cannel, Coke, Culm, and Cinders passing any Distance exceeding Fifty Miles the Company may demand and receive Tolls as for Fifty Miles at the least, at the Rate of Three Farthings *per* Ton *per* Mile.

Maximum
Rates of
Charges.

XXXII. And be it enacted, That the maximum Rate of Charge to be made by the Company to be incorporated by virtue of this Act for the Conveyance of Passengers along the said Railway, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expence incidental to such Conveyance as aforesaid, except Government Duty, shall not exceed the following Sums ; that is to say,

For every Passenger conveyed in or by any Express Train, the Sum of Two-pence Halfpenny *per* Mile :

For every Passenger conveyed in a First-class Carriage by any other Train, the Sum of Two-pence *per* Mile :

For every Passenger conveyed in a Second-class Carriage by any such other Train, the Sum of One Penny Halfpenny *per* Mile :

For every Passenger conveyed in a Third-class Carriage by any such other Train, the Sum of One Penny *per* Mile.

And

And with respect to the Conveyance of Goods the maximum Rates of Charge to be made by the Company to be incorporated by virtue of this Act for the Conveyance thereof along the Railway, including the Tolls for the Use of the Railway, and Waggon or Trucks, and locomotive Power, and every Expence incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of 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 Goods,
Cattle, &c.

For every Horse, Mule, and other Beast of Draught or Burden,
Three-pence *per* Mile :

For horned Cattle, the Sum of Two-pence *per* Head *per* Mile :

For Calves and Pigs, One Penny each *per* Mile :

For Sheep and small Animals, Three Farthings each *per* Mile :

For every Carriage, Four-pence *per* Mile :

For all Coal, Cannel, Culm, Coke, and Cinders conveyed any Distance not exceeding Fifty Miles, the Sum of One Penny and One Eighth *per* Ton *per* Mile ; and if conveyed for any Distance exceeding Fifty Miles, Seven Eighths of a Penny *per* Ton *per* Mile for the whole Distance travelled :

For all Slack conveyed any Distance not exceeding Fifty Miles, One Penny *per* Ton *per* Mile ; and if conveyed any Distance exceeding Fifty Miles, Seven Eighths of a Penny *per* Ton *per* Mile for the whole Distance travelled :

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Stone for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, the Sum of One Penny Halfpenny *per* Ton *per* Mile if conveyed for a Distance not exceeding Fifteen Miles ; and the Sum of One Penny and One Eighth *per* Ton *per* Mile, if conveyed a Distance exceeding Fifteen Miles :

For Iron not damageable, One Penny *per* Ton *per* Mile if conveyed for a Distance of Fifty Miles or upwards ; but if for any less Distance than Fifty Miles, One Penny Farthing *per* Ton *per* Mile :

For damageable Iron, Sheet Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron, Three Halfpence *per* Ton *per* Mile if conveyed for a Distance of Fifty Miles or upwards ; but if for any less Distance than Fifty Miles, Two-pence *per* Ton *per* Mile :

For Sugar, Grain, Corn, Flour, Hides, Dye woods, *Manchester* Packs, Earthenware, Timber, Staves, Deals, Metals, Hardware in Packages or Cases, Nails, Anvils, Vices, and Chains, the Sum of Two-pence Halfpenny *per* Ton *per* Mile if conveyed for a less Distance than Fifty Miles ; and the Sum of Two-pence *per* Ton *per* Mile if conveyed Fifty Miles or upwards :

For Cotton and other Wools and Manufactured Goods, the Sum of Three-pence *per* Ton *per* Mile if conveyed a less Distance than Fifty Miles ; and the Sum of Two-pence Halfpenny *per* Ton *per* Mile if conveyed a Distance of Fifty Miles or upwards :

[*Local.*]

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For

For Fish, Feathers, Canes, Cochineal, Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, if conveyed for a less Distance than Fifty Miles, Three-pence Halfpenny *per Ton per Mile*; and if conveyed for the Distance of Fifty Miles or upwards, the Sum of Three-pence *per Ton per Mile*.

Regulations
as to Tolls.

And the following Regulations shall apply to such maximum Rates and Charges:

The Company shall be at liberty to fix a minimum Charge of Ten Shillings to be taken for each Carriage, and of Five Shillings for every Horse, conveyed upon the Railway, notwithstanding the Charge for the Distance for which such Carriage or Horse respectively may be conveyed, according to the Rates aforesaid, may not amount to those Sums:

The Company shall not be compellable to provide Waggons or Carriages for the Conveyance of Coal, Cannel, Slack, Culm, Coke, or Cinders; but where such Waggons or Carriages are not provided by the Company, a Deduction of One Eighth of a Penny *per Ton per Mile* shall be made from the above Rates of Carriage for as many Miles as the Company shall charge the said Rates; but where any of the before-mentioned Articles, Matters, Persons, or Things shall be conveyed on the said Railways for a less Distance than Six Miles, the said Company are hereby empowered to demand and receive the aforesaid Charges, Rates, or Tolls, as the Case may be, for Six Miles; and that where any such Articles, Matters, or Things shall be carried a Distance exceeding Fifty Miles, the Company are hereby empowered to demand and receive Rates, Tolls, or Charges as for Fifty Miles at the least at the highest Rates in this Act allowed for the Carriage thereof:

Where a Waggon for the Carriage of Cattle or Sheep shall be conveyed by one Party, the Charge for any such Waggon capable of containing Six Oxen or Twenty-five Sheep shall not exceed Sixpence *per Mile*:

And 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 Par-
cels and Arti-
cles of great
Weight.

XXXIII. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; that is to say,

For the Carriage of small Parcels, that is to say, any Parcels not exceeding Five hundred Pounds Weight, the Company may demand any Sum which they think fit: Provided always, that such Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and
the

the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit, not exceeding Eight-pence *per Ton per Mile* :

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed eight Tons, the Company may demand any such Sum as they think fit.

XXXIV. Provided always, and be it enacted, That nothing herein contained shall be held to prevent the said Company to be incorporated by virtue of this Act from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger or other Trains, or by reason of any other special Service performed by the said Company in relation thereto, and also any Sum by way of Pontage, Toll, or otherwise which may be authorized by any Act of Parliament already passed or to be passed in the present Session of Parliament in Consideration of the Construction of any Bridge or other important Work which, under or by virtue of any such other Act and this Act, or either of them, will or may hereafter devolve upon or belong to the Company hereby incorporated.

Company may take increased Charges by Agreement.

XXXV. And be it enacted, That every Passenger travelling upon the Railway in a First-class Carriage may take with him his ordinary Luggage not exceeding One hundred and twelve Pounds in Weight, and every Passenger travelling in a Second-class Carriage may take with him his ordinary Luggage not exceeding Sixty Pounds in Weight, and every Passenger travelling in a Third-class Carriage may take with him his ordinary Luggage not exceeding Forty Pounds in Weight, without any Charge being made for the Carriage.

Passengers Luggage.

XXXVI. And be it enacted, That every Collector of Tolls who shall commit any of the following Offences shall forfeit a Sum not exceeding Ten Pounds for each such Offence ; that is to say,

If he do not put up a Toll Board and keep the same in its Place during the whole Time he is on Duty according to the Provisions in that Behalf contained in the said recited Railway Clauses Consolidation Act :

If he either refuse to permit any Person to read, or in any way hinder any Person from reading, the Inscription on such Board :

If he refuse to tell his Christian Name and Surname to any Person demanding the same who shall have paid or tendered the Tolls demanded of him, or if he give a false Name to any such Person :

Penalty on Collector of Tolls for certain Offences.

If

If he demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, and of the Orders of the Company made in pursuance thereof:

If, upon the legal Toll being paid or tendered, he do unnecessarily detain or wilfully hinder any Carriage or any Person from passing upon the Railway:

If he make use of any scurrilous or abusive Language to any Passenger upon or to any Person lawfully using the Railway.

Collectors,
&c. dis-
missed or
suspended
to give up
Toll Houses,
&c.

XXXVII. And be it enacted, That if any such Collector of Tolls be discharged or suspended from his Office, or die, abscond, or absent himself, and if such Collector so discharged or suspended, or the Wife, Widow, or any of the Family or Representatives of any such Collector so discharged or suspended, or who shall have died, absconded, or absented himself, refuse or neglect, after Seven Days Notice in Writing for that Purpose, to deliver up to the Company, or to any Person appointed by them for that Purpose, any Toll House, Dwelling House, Office, or other Building, with its Appurtenances, or any Books, Papers, or other Matters belonging to the Company, in Possession or Custody of any such Collector at the Occurrence of any such Event as aforesaid in right of his Appointment as Toll Collector, then upon Application being made by the Company to any Justice it shall be lawful for such Justice to order any Constable, with proper Assistance, to enter upon such Toll House or Building, and to remove any Person found therein, and to take possession thereof, and of any such Books, Papers, or other Matters, and to deliver the same to the Company, or any Person appointed by them for that Purpose.

Restriction
as to
Charges not
to apply to
Special
Trains.

XXXVIII. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Trains that may be required upon the said Railway, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the said Company for the Conveyance of Passengers and Goods upon the said Railway.

Company to
provide
locomotive
Power.

XXXIX. And be it enacted, That the Company to be incorporated by virtue of this Act shall and they are hereby required, from Time to Time and at all Times, to find and provide sufficient locomotive Power when and as the same shall be required, and as soon as an adequate and sufficient Load shall be in readiness to convey all Merchandize, Articles, empty Waggon, Matters, and Things upon and along the Railway.

Treasury,
&c. may
order Incon-
veniences or
Evils to be
remedied.

XL. And be it enacted, That if at any Time after the passing of this Act it shall appear to the Lords Commissioners of Her Majesty's Treasury, or the Officers of the Government Department charged for the Time being with the Supervision of Railways, to be necessary for the Interests of the Public, it shall be lawful for the said Lords Commissioners or other Government Officers to require the said amalgamated Company to proceed forthwith to the Correction or Prevention of any Inconveniencies or Evils by the said Lords Commissioners

missioners or other Officers specified; and upon the Failure or Inability of the said amalgamated Company to comply with the Requisitions of the said Lords Commissioners or other Officers in the Particulars aforesaid within a Period of Six Months from the Date of such Requisition, it shall be lawful for the said Lords Commissioners or other Officers to serve the said amalgamated Company with Notice to introduce into Parliament in the then existing Session, if Parliament should be sitting, and if not, in the next ensuing Session, a Bill or Bills for amending this Act in such Particulars as aforesaid, and thereupon the said amalgamated Company shall and they are hereby required to introduce such Bill or Bills accordingly, and duly to prosecute the same, in default whereof it shall be lawful for the said Lords Commissioners or other Officers to introduce or prosecute (as the Case may be) such Bill or Bills at the Expence of the said amalgamated Company.

XLI. Provided always, and be it enacted, That in case no Act shall be passed in this present Session authorizing the Construction of the said intended *Sheffield and Lincolnshire Junction* Railway, then in such Case all the Provisions in this Act contained shall be void and of no Effect, any thing herein-before contained to the contrary notwithstanding.

Act not to apply in certain Cases.

XLII. And whereas an Act was passed in the last Session of Parliament, intituled *An Act for making a Railway to connect the Manchester and Birmingham and Liverpool and Manchester Railways in the Parish of Manchester, and also to Altrincham in the County of Chester, to be called "The Manchester South Junction and Altrincham Railway,"* in which Undertaking the said *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company take and are entitled to a Share and Interest, and also certain Powers and Authorities; be it enacted, That the Company who may be incorporated by virtue of this Act shall have and be entitled to all such and the same Share and Interest, and shall have, and may use and exercise, and join in using and exercising, all such and the same Powers and Authorities in and relating to the said *Manchester South Junction and Altrincham* Railway Company as the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company had, and might have used and exercised or joined in using and exercising, if this Act had not passed.

Company to be entitled to certain Shares of Sheffield, Ashton-under-Lyne, and Manchester Railway Company.

XLIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt any of the said amalgamating Railways from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, which may be passed in the present or any future Session of Parliament.

Railway to be subject to Provisions of any future general Act.

XLIV. And be it enacted, That all Costs, Charges, and Expences connected with the passing of this Act shall be paid by the Company or the Directors thereof out of the first Monies which shall come to their Hands after the passing thereof.

Expences of Act.

4806

9° & 10° VICTORIÆ, *Cap.* cclxviii.

Public Act.

XLV. 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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