

ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. clxvi.

An Act to enable the *Manchester and Leeds* Railway Company to alter the Line and Levels of the *Brighouse* Branch of the *West Riding Union* Railways, and to make a new Line into *Leeds*.

[9th *July* 1847.]

WHEREAS by the *Manchester and Leeds* Railway Act, 1836, "The *Manchester and Leeds* Railway Company" were incorporated, with Power to make a Railway from *Manchester* to *Leeds*: And whereas by "The *Manchester and Leeds* Railway Act, 1837," "The *Manchester and Leeds* Railway Act, 1839," "The *Manchester and Leeds* Railway Act, 1844," "The *Manchester and Leeds* Railway Act (No. 2.), 1845," and "The *Manchester and Leeds* Railway Act, 1846," the said Company are empowered to alter and extend the said Railway as in the said Acts respectively mentioned: And whereas by the said Acts, and by "The *Manchester and Leeds* Railway Act, 1841," and "The *Manchester and Leeds* Railway Act (No. 1.), 1845," the Powers of the said Company were in other respects amended and enlarged: And whereas by "The *Ashton, Stalybridge, and Liverpool Junction* Railway Act, 1844," the *Ashton, Stalybridge, and Liverpool Junction* Railway Company were incorporated, with Power to make a Railway from

Manchester to *Ashton* and *Stalybridge*, and under the Powers of the same Act the *Manchester and Leeds* Railway Company purchased the said Railway, whereupon the said *Ashton, Stalybridge, and Liverpool Junction* Railway Company were dissolved, and their Undertaking, Powers, and Authorities became vested in the *Manchester and Leeds* Railway Company, and by "The *Ashton, Stalybridge, and Liverpool Junction* Railway Act, 1845," the *Manchester and Leeds* Railway Company were empowered to make certain Extensions of the said last-mentioned Railway: And whereas by an Act passed in the last Session of Parliament, intituled *An Act to incorporate the Company of Proprietors of the* Manchester, Bolton, and Bury *Canal Navigation and Railway with the* Manchester and Leeds *Railway Company*, the said Company of Proprietors were amalgamated with, and their Undertakings, Powers, and Authorities have become vested in, the *Manchester and Leeds* Railway Company: And whereas by an Act passed in the last Session of Parliament, intituled *An Act to incorporate the* Liverpool and Bury *Railway Company with the* Manchester and Leeds *Railway Company*, the *Liverpool and Bury* Railway Company were amalgamated with, and their Undertakings, Powers, and Authorities have become vested in, the *Manchester and Leeds* Railway Company: And whereas by an Act passed in the last Session of Parliament, intituled *An Act to incorporate the* Huddersfield and Sheffield Junction *Railway Company with the* Manchester and Leeds *Railway Company*, the *Huddersfield and Sheffield Junction* Railway Company were incorporated with, and their Undertakings, Powers, and Authorities have become vested in, the *Manchester and Leeds* Railway Company: And whereas by the "*West Riding Union* Railways Act, 1846," the *West Riding Union* Railways Company were incorporated, with Powers to make a Series of Railways in the West Riding of the County of *York*, and under the Provisions of the same Act the said last-mentioned Company have become amalgamated with, and their Undertaking and Powers vested in, the *Manchester and Leeds* Railway Company: And whereas by "The *Wakefield, Pontefract, and Goole* Railway Act, 1845," the *Wakefield, Pontefract, and Goole* Railway Company were incorporated with Powers to make a Railway from *Wakefield* to *Goole*; and by "The *Wakefield, Pontefract, and Goole* Railway Branches Act, 1846," and "The *Wakefield, Pontefract, and Goole* Railway and Port of *Goole* Act, 1846," the same Company were empowered to make certain Extensions of their said Railway; and under the Powers of the said Acts the *Manchester and Leeds* Railway Company have purchased the said Railway and its Extensions, and upon the Completion of such Purchase the said *Wakefield, Pontefract, and Goole* Railway Company became amalgamated with, and their Undertakings, Powers, and Authorities vested in, the *Manchester and Leeds* Railway Company: And whereas under the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for vesting in the* Grand Junction *Railway Company and the* Manchester and Leeds *Railway Company the* North Union *Railway, and all the Works, Property, and Effects appertaining thereto*, the *North Union* Railway and the Powers and Authorities of the *North Union* Railway Company have become vested in the *London and North-western* and the *Manchester and Leeds* Railway Companies: And whereas it is expedient that the *Manchester and Leeds* Railway Company should be empowered to make

9 & 10 Vict. c. 378.

9 & 10 Vict. c. 282.

9 & 10 Vict. c. 277.

9 & 10 Vict. c. 231.

make the Alterations and Deviations herein-after mentioned in the Line and Levels of the *Brighouse* Branch of the *West Riding Union* Railways, and to make and maintain a new Line of Railway into *Leeds*, from a Point in the Township of *Wortley*, to or near the Southerly Side of *Wellington Street* in the Borough and Parish of *Leeds*, in lieu of a Portion of the Main Line of the *West Riding Union* Railways as authorized by the *West Riding Union* Railways Act, 1846: And whereas it is expedient that some of the Powers and Provisions contained in the said recited Acts should be altered, amended, and enlarged: 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 from and after the last Day of the present Session of Parliament the Company by the said first-recited Act incorporated shall no longer be called by the Name of "The *Manchester and Leeds* Railway Company," but the said Company shall be called and known and continue to be incorporated and have Continuance by the Name of "The *Lancashire and Yorkshire* Railway Company," and by that Name shall and may keep and have perpetual Succession and a Common Seal, and sue and be sued, and have, hold, retain, use, and exercise all such and the same Lands, Tenements, Hereditaments, Tolls, Sums of Money, Credits, Debts, Duties, Penalties, Contracts, Goods, and Chattels, Powers, Authorities, Rights, Privileges, Liberties, Profits, and Advantages, which at the Period aforesaid or at any Time thereafter are, or have, or shall be, or by any Act passed in the present Session of Parliament may be purchased by, or contracted with, or granted to, or be vested in, or did or may belong or be due to the said *Manchester and Leeds* Railway Company, or which they the said *Manchester and Leeds* Railway Company did or may possess or become entitled to; and the *Manchester and Leeds* Railway, together with the following Railways belonging to the Company, *viz.* the *Ashton, Stalybridge, and Liverpool Junction* Railway, the *Manchester, Bolton, and Bury* Railway otherwise called the *Manchester and Bolton* Railway, the *Liverpool and Bury* Railway, the *Huddersfield and Sheffield Junction* Railway, the *Wakefield, Pontefract, and Goole* Railway, and the *West Riding Union* Railways, and the several Railways and Undertakings which under the Provisions of any Act of the present or any former Session of Parliament are or shall be vested in or become the Property of the *Manchester and Leeds* Railway Company, shall from thenceforth be called the *Lancashire and Yorkshire* Railway.

Name of Company changed.

II. Provided always, and be it enacted, That no Action, Suit, Bill, Process, Writ, Indictment, Information, or any other Proceeding, whether civil or criminal, which before the coming into operation of this Act shall have been commenced and be then pending, whether at the Suit or Instance of the *Manchester and Leeds* Railway Company against any other Corporation or against any Person, or at the Suit or Instance of any other Corporation or of any Person against the *Manchester and Leeds* Railway Company, shall abate, determine, or be otherwise impeached or affected for or by reason of the aforesaid Change of the Name of the *Manchester and Leeds* Railway Company, nor shall any Notice, Tender, Requisition, Warrant, Summons, Pleading,

Evidence of the Name of the Company.

Pleading, civil or criminal, Writ or other Process, Record, Deed, Contract, Agreement, Writing, Instrument, Document, or other Matter that shall have been or shall be made, issued, written, or commenced, be deemed to be vacated, discharged, invalidated, prejudiced, or affected by reason of the Company being therein called by the Name of the "*Manchester and Leeds* Railway Company," or by reason of such several Railways and Undertakings of the Company being therein respectively called by the respective Names of the *Manchester and Leeds* Railway, the *Ashton, Stalybridge, and Liverpool Junction* Railway, the *Manchester, Bolton, and Bury* Railway or the *Manchester and Bolton* Railway, the *Liverpool and Bury* Railway, the *Huddersfield and Sheffield Junction* Railway, the *Wakefield, Pontefract, and Goole* Railway, and the *West Riding Union* Railways, or by any other Name by which any such several Railways or Undertakings of the Company, or any of them, may be called in any Act of the present or any former Session; and it shall not be necessary in any Bill, Suit, Indictment, Information, Notice, Tender, Requisition, Warrant, Summons, Pleading, civil or criminal, Writ or other Process, or in any Record, Deed, Contract, Agreement, Writing, or other Instrument, Document, or Matter, to aver that the Company had been called or known, from the Time of the passing of the said first-recited Act until the Time of the coming into operation of this Act, by the Name of the *Manchester and Leeds* Railway Company, or that such several Railways and Undertakings of the Company had been called or known within that Period by the respective Names of the *Manchester and Leeds* Railway, the *Ashton, Stalybridge, and Liverpool Junction* Railway, the *Manchester, Bolton, and Bury* Railway or the *Manchester and Bolton* Railway, the *Liverpool and Bury* Railway, the *Huddersfield and Sheffield Junction* Railway, the *Wakefield, Pontefract, and Goole* Railway, and the *West Riding Union* Railways, or by any such other Name as aforesaid, and that by this Act the Names of the said Company and such respective Railways and Undertakings were changed as aforesaid, and that after the coming into operation of this Act the Company hath been called and known by the Name of the *Lancashire and Yorkshire* Railway Company, and such several Railways and Undertakings by the Name of the *Lancashire and Yorkshire* Railway, but it shall be deemed true, lawful, and sufficient therein to aver the Style and describe the Company by the Name of the *Lancashire and Yorkshire* Railway Company, and such several Railways and Undertakings by the Name of the *Lancashire and Yorkshire* Railway, in the same Manner as if the said Company in and by the said first-recited Act had been originally incorporated, called, or known by the Name of the *Lancashire and Yorkshire* Railway Company, and as if such several Railways and Undertakings had been originally called or known by the Name of the *Lancashire and Yorkshire* Railway.

Provisions of recited Acts extended to this Act.

III. And be it enacted, That all the Powers, Provisions, Matters, and Things contained in the said recited Acts or any of them, with regard to the Use of the Railways by the said Acts authorized to be made, and to the demanding, levying, and recovering of Tolls in respect thereof, and to the raising of Money by Shares, Mortgage, or otherwise, and to the Shares created under the Powers thereof, and all other the Powers, Provisions, Matters, and Things contained in the

the said recited Acts or any of them, (except such of them as by the "Lands Clauses Consolidation Act, 1845," or the "Railways Clauses Consolidation Act, 1845," or by this Act, or any other Act, are repealed, altered, or otherwise provided for, or as have expired by Effluxion of Time,) shall extend to this Act, and to the Use and Protection of the Railways and Works hereby authorized to be made, and the demanding, levying, and recovering of Tolls in respect thereof, and to the Money to be raised by Shares and Mortgage or otherwise for the same, and to the Shares to be created under the Powers of this Act, and generally shall operate and be in force in reference thereto, as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act, and had specific Reference thereto.

8 & 9 Vict. cc. 18. & 20. extended to this Act.

IV. And be it enacted, That "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," save as to such Parts thereof as may be modified by or inconsistent with the Provisions of this Act, shall be incorporated with this Act.

Short Title of Amalgamation Acts and of this Act.

V. And be it enacted, That in citing or referring to the following Acts and this Act respectively in other Acts of Parliament, and in legal Instruments, Notices, or other Documents, it shall be sufficient to use the several Expressions herein-after mentioned; that is to say, in citing the said Act to incorporate the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway with the *Manchester and Leeds* Railway Company it shall be sufficient to use the Expression "The *Manchester, Bolton, and Bury* and *Manchester and Leeds* Canal and Railways Act, 1846," and in citing the said Act incorporating the *Liverpool and Bury* Railway Company with the *Manchester and Leeds* Railway Company it shall be sufficient to use the Expression "The *Liverpool and Bury* and *Manchester and Leeds* Railways Act, 1846," and in citing the said Act incorporating the *Huddersfield and Sheffield Junction* Railway Company with the *Manchester and Leeds* Railway Company it shall be sufficient to use the Expression "The *Huddersfield and Sheffield Junction* and *Manchester and Leeds* Railways Act, 1846," and in citing this Act it shall be sufficient to use the Expression "The *Manchester and Leeds* Railway Act, (No. 1.,) 1847."

Power to raise additional Capital by Creation of new Shares.

VI. And whereas the estimated additional Expence of constructing the new Works by this Act authorized beyond the Amount which the Company are authorized to raise under the Provisions of the recited Acts is Fourteen thousand Pounds; be it enacted, That it shall be lawful for the Company to raise by the Creation of Shares an additional Capital Sum of Fourteen thousand Pounds over and above the Monies which they are authorized to raise by virtue of the said recited Acts, or any of them, or any other Act or Acts of Parliament, or which they may be authorized to raise by any Acts of the present Session of Parliament.

Company to issue Shares.

VII. And be it enacted, That, for the Purpose of raising the said additional Capital of Fourteen thousand Pounds, it shall be lawful for the Company to issue such and so many distinct Shares of such Amount, and (subject to the Provisions of this and the said recited

Acts and of any other Act of the present Session) to be appropriated and disposed of in such Manner, to such Person or Persons, and for such Prices, and on such Terms, and by such Ways and Means as by the Order of any General or Special General Meeting of the Company shall be determined.

New Shares to form Part of original Capital.

VIII. And be it enacted, That the said additional Capital of Fourteen thousand Pounds shall be considered as forming Part of the general and original Capital authorized to be raised by the Company under the said recited Acts, and that all the Provisions contained in or referred to by the said *Manchester and Leeds* Railway Act, 1841, with regard to the Capital and Monies thereby authorized to be raised by Shares or Mortgage, and to the Proprietors thereof, shall in all respects (except as herein otherwise provided, and subject to the Order of any such General or Special General Meeting,) be especially applicable to the Capital and Monies hereby authorized to be raised by Shares or Mortgage, and to the Proprietors thereof.

Power to consolidate Shares into Stock.

IX. And be it enacted, That all the Provisions and Regulations contained in the said "*Manchester and Leeds* Railway Act, 1844," giving Power to the said Company to consolidate into a general Capital Stock the Shares then existing in the Capital of the Company, or in anywise relating thereto, shall be applicable and extend in all respects to any Shares which may be created under the Authority of this Act.

Power to raise Money on Mortgage.

X. And be it enacted, That after the whole of the Capital of the Company by the said recited Acts and by this Act authorized to be raised by Shares shall have been subscribed, and One Half thereof actually paid up, it shall be lawful for the Company from Time to Time by an Order of any General or Special General Meeting of the Company, in addition to the Money by the said recited Acts or any of them or any other Act or Acts of Parliament authorized to be borrowed, or which the Company may be authorized to borrow by any Acts of the present Session of Parliament, to borrow on Mortgage any further Sum of Money not exceeding in Amount the Sum of Four thousand six hundred Pounds, and to secure the Repayment thereof, with Interest, in like Manner as the Monies authorized to be raised by Mortgage by the said recited Acts or any of them.

Evidence of Authority for borrowing.

XI. And be it enacted, That a Certificate of a Justice that the whole of the Capital by this Act and the said recited Acts authorized to be raised has been subscribed, and One Half thereof paid up (which Certificate such Justice is hereby authorized and required to grant on Application made to him by the Company and on such Proof of the Fact as he may require), and a Copy of the Order of any General or Special General Meeting of the Company authorizing the borrowing of any Money, certified by One of the Directors or by the Secretary of the said Company, shall respectively and for all Purposes whatsoever be conclusive Evidence of the Fact of the Capital required to be subscribed and paid up as aforesaid having been so subscribed and paid up, and of the Fact of the Order for borrowing Money having been made.

XII. Pro-

Existing Mortgages to have Priority.

XII. Provided always, and be it enacted, That all Mortgages granted under the Powers of the said recited Acts or any of them shall, during the Continuance thereof, have Priority over the Mortgages granted under this Act.

Interest not to be paid on Calls paid up.

XIII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying 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 in the Companies Clauses Consolidation Act, 1845, in that Behalf.

Deposits for future Bills not to be paid out of Company's Capital.

XIV. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Power to alter Line and Levels of Brighouse Branch.

XV. And whereas Plans and Sections describing the intended Alteration in the Line and Levels of the said *Brighouse* Branch, and also describing the Direction, Line, and Levels of the said intended new or additional Line of Railway and Works, and describing also the Lands and Houses which may be required to be taken for the several Purposes aforesaid, together with a Book of Reference to such Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the said Lands and Houses, have been deposited with the Clerk of the Peace for the West Riding of the County of *York;* be it enacted, That, subject to the Provisions in this and the said Lands and Railways Clauses Consolidation Acts contained, it shall be lawful for the Company to make the Alterations herein-after mentioned in the Line and Levels of the said *Brighouse* Branch in the Lines and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections; that is to say, a Deviation or Alteration in the Line of the *Brighouse* Branch of the *West Riding Union* Railways (being the Line of Railway thirdly described in the said *West Riding Union* Railways Act, 1846), to commence in a Field, No. 83, in the Township of *Wike* and Parish of *Birstal* in the Plan of the said *West Riding Union* Railways referred to in the said last-mentioned Act, and to terminate in a Field, No. 45 on the said Plan, in the Township of *Hartishead-cum-Clifton* and Parish of *Dewsbury*, which said Alteration or Deviation will pass from, in, through, or into the several Parishes, Townships, and extra-parochial or other Places of *Birstal*, *Wike*, *Lower Wike*, *Dewsbury*, *Clifton*,

Clifton, *Hartishead*, *Hartishead-cum-Clifton*, *Hipperholme*, *Hipperholme-cum-Brighouse*, and *Halifax*, all in the West Riding of the County of *York*, or some of them; and also an Alteration in the Levels of the said *Brighouse* Branch as authorized to be constructed by the said *West Riding Union* Railways Act, such Alteration to commence in a Field which on the said Plan of the *West Riding Union* Railways is numbered 9 in the said Township of *Wike* in the Parish of *Birstal*, and to terminate in the said Field which on the said Plan is numbered 45 in the Township of *Hartishead-cum-Clifton* in the Parish of *Dewsbury*, which Alteration will extend from, in, through, or into, or be made within the several Parishes, Townships, and extra-parochial or other Places following, or some of them; that is to say, *Birstal*, *Wike*, *Lower Wike*, *Dewsbury*, *Clifton*, *Hartishead*, *Hartishead-cum-Clifton*, *Hipperholme*, *Hipperholme-cum-Brighouse*, and *Halifax*, all in the West Riding of the County of *York*, or some of them.

Power to make new or additional Line of Railway into Leeds.

XVI. And be it enacted, That, subject to the Provisions in this and the said Lands and Railways Clauses Consolidation Acts contained, it shall be lawful for the Company to make and maintain the Railway and Works herein-after mentioned in the Lines and upon the Lands delineated and described in the said first-mentioned Plans and Book of Reference, and according to the Levels defined on the said Sections; (that is to say,) a new or additional Line of Railway, with all necessary Approaches, Works, and Conveniences connected therewith, commencing in a Field in the Occupation of *John Dawson*, abutting on the South easterly Side of the *Leeds and Birstal* Turnpike Road in the Township of *Wortley* in the Parish of *Leeds*, which Field on the said Plan of the *West Riding Union* Railways is numbered 364 in the said Township of *Wortley*, and terminating in a Piece of Land abutting upon the Southerly Side of *Wellington Street*, and adjoining to a Warehouse in the said Street now in the Occupation of Messrs. *Schunck*, *Souchay*, and Company, in the Borough and Parish of *Leeds*, all in the West Riding of the County of *York*, which new or additional Line of Railway will pass from, in, through, or into, or be situate within the several Parishes, Townships, and extra-parochial or other Places following, or some of them, (that is to say,) *Wortley*, *Holbeck*, and *Leeds*, all in the West Riding of the County of *York*.

Power to take Lands described in the first-mentioned Plans, &c.

XVII. And be it enacted, That, subject to the Provisions of this and the said Lands and Railways Clauses Consolidation Acts, it shall be lawful for the Company to enter upon, take, and use such of the Lands delineated and described in the said first-mentioned Plans and Books of Reference as shall be necessary for the several Purposes aforesaid, or any of them.

Company to abandon certain Portions of old Line.

XVIII. And be it enacted, That the Company shall abandon and relinquish the Formation of so much and such Parts of the said *Brighouse* Branch of the said *West Riding Union* Railways as at present authorized within the several Parishes, Townships, and extra-parochial or other Places of *Birstal*, *Wike*, *Lower Wike*, *Dewsbury*, *Clifton*, *Hartishead*, *Hartishead-cum-Clifton*, *Hipperholme*, *Hipperholme-cum-Brighouse*, and *Halifax* as will become unnecessary in consequence of the said proposed Alteration or Deviation of the Line and Levels of

such Branch, and also the Formation of so much of the Main Line of the said *West Riding Union* Railways as authorized by the said *West Riding Union* Railways Act, 1846 (being the Line of Railway firstly described in such Act,) within the several Parishes, Townships, and extra-parochial or other Places of *Wortley*, *Holbeck*, and *Leeds*, as will become unnecessary in consequence of the said proposed new or additional Line of Railway.

Certain Powers of West Riding Union Railways Act as to Construction of Portion of Line to cease.

XIX. And be it enacted, That all the Powers, Authorities, Privileges, Provisions, Restrictions, and Directions contained in the said *West Riding Union* Railways Act in reference to the Purchase or taking of Lands for or to the Construction and Maintenance of the Portions of the said *Brighouse* Branch and Main Line of the said *West Riding Union* Railways by this Act authorized to be abandoned shall from and immediately after the passing of this Act cease and determine.

Works to be completed in Five Years or Powers to cease.

XX. And be it enacted, That after the Expiration of Five Years from the passing of this Act all the Powers hereby granted to the Company for making and executing the said Railway, Alterations, and Works respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Lands for extraordinary Purposes.

XXI. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed in the whole Twenty Acres in addition to the Land which the Company are by any other Act authorized to take for such Purposes.

Certain Roads may be crossed on a Level.

XXII. And be it enacted, That it shall be lawful for the Company to construct the said altered Line of the *Brighouse* Branch of the *West Riding Union* Railways across and on the Level of the following Roads; (that is to say,)

In the Township of *Wike*, the Roads numbered respectively 75 and 114:

In the Township of *Hartishead-cum-Clifton*, the Road numbered 14.

Company to erect a Station or Lodge at Points of crossing, and to abide by the Regulation of the Commissioners of Railways.

XXIII. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway crosses the before-mentioned Roads on the Level, and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Inclination of certain Roads.

XXIV. And be it enacted, That as regards the Roads marked as herein-after mentioned on the said first-mentioned Plans and Book of Reference it shall be lawful for the Company in the Construction of the said altered Line of the *Brighouse* Branch to make the Rates of Inclination of such Roads when altered as follows; (that is to say,)

The Roads numbered respectively 75 and 114 in the Township of *Wike*, 1 in 7:

The Road numbered 14 in the Township of *Hartishead-cum-Clifton*, 1 in 8

As to the Manner of building Bridges over private Roads.

XXV. Provided also, and be it enacted, That Bridges over or under any private Carriage Way or private Road may be built and the Approaches to any such Bridge may be made in any other Manner than is herein or in the said Railways Clauses Consolidation Act directed, with the Consent of the Owners of such Way or Road.

Limiting Charges for Conveyance.

XXVI. And be it enacted, That the Provisions contained in the *West Riding Union* Railways Act, 1846, whereby the Charges for the Conveyance of Passengers and of Goods and Cattle are fixed, limited, and regulated, shall extend and apply to the Charges to be made in respect of the altered and new Lines of Railway by this Act authorized, and of the Engines and Carriages employed by the said *Manchester and Leeds* Railway Company thereon.

Company may return Capital in respect of Subcriptions to Works not completed.

XXVII. And be it enacted, That it shall be lawful for the Company from Time to Time to return any Portion of the Capital Stock for the Time being paid up under the Provisions of any of the recited Acts or of any Act therein respectively referred to relating to the Company, with the Consent of the Mortgagees and Bond Creditors of the Company, in conformity with the Provisions in the "Companies Clauses Act, 1845," in that Behalf, and every such Return may be made in such Manner and subject to such Conditions and to such Classes of Shareholders as by the Order of any Special General Meeting of the Company shall be determined upon.

Company to make Regulations as to Dividends, and calling of Meetings of Shareholders in respect of Capital returned.

XXVIII. Provided always, and be it enacted, That it shall be lawful for the Company from Time to Time to make and give effect to such Alterations in and Regulations and Arrangements with respect to the Dividends payable on Shares the Proprietors of which shall become entitled to any such Return of Capital Stock as aforesaid, whether as to the Amount or Time of Commencement of such Dividends or otherwise, as they shall deem expedient and just: Provided always, that inasmuch as particular Classes of Shareholders may be affected by Alterations, Regulations, and Arrangements to be made as aforesaid, no Class of Shareholders shall be affected thereby unless and until the Majority of Three Fifths of the Shareholders present, either in Person or by Proxy, at a Meeting of the Class of Shareholders liable to be affected shall have consented to and approved of the Alterations, Regulations, and Arrangements relating to such Class of Shareholders which shall be proposed by the Company; and the Company shall cause Meetings of the respective Classes of

Shareholders proposed to be affected by any such Alterations, Regulations, and Arrangements to be summoned accordingly, and the Provisions for calling and regulating Special General Meetings of the Company shall, so far as applicable, be deemed to apply to such Meetings as aforesaid of particular Classes of Shareholders.

Power to close Transfer Books at certain Periods.

XXIX. And be it enacted, That it shall be lawful for the Company and they are hereby authorized to close the Books kept for entering Memorials of Transfers of Shares for a Period not exceeding Twenty-one Days before each of the half-yearly General Meetings of the Company, and to fix a Day for that Purpose, during which Time the Company shall not be bound to take notice of any Transfer which shall not have been registered previously to the Day fixed for closing the Books; but all such Transfers shall, as between the Party claiming under the same and the Company, but not otherwise, be considered as made subsequently to such half-yearly General Meeting: Provided always, that Seven Days Notice at least of the Day on which the Transfer Books shall be closed shall be given in One or more public Newspapers published in *Manchester* and *Leeds*.

Number and Rotation of Directors.

XXX. And whereas by the *Manchester and Leeds* Railway Act, 1846, the Company are authorized to increase or reduce the Number of Directors of the Company within the Limits therein mentioned; be it enacted, That it shall be lawful for the Company from Time to Time in General Meeting, after due Notice for that Purpose, to determine the Proportion, not exceeding One Fourth of the whole Number of Directors, who shall periodically go out of Office, and the Time, Mode, and Order of Rotation in which such increased or reduced Number of Directors shall go out of Office, and what Number shall be a Quorum at their Meetings.

Leeds and Bradford Railway not to be crossed on the Level.

XXXI. And be it enacted, That, in case it shall be found necessary to carry the Railway by this Act authorized across the *Leeds and Bradford* Railway, it shall not be lawful to carry the same across such Railway upon the Level, but the same shall be carried across such Railway by means of a Girder Bridge of such Dimensions as shall be approved of by the Engineer for the Time being of the said *Leeds and Bradford* Railway Company: Provided always, that the Dimensions of such Bridge shall not exceed the clear Width of Thirty Feet between the Abutment Wall, and the clear Height of Fifteen Feet from the Surface of the Rails of the said *Leeds and Bradford* Railway to the under Side of the Girders of such Bridge, and such clear Height to extend across the whole of the said Width of Thirty Feet.

If Leeds and Bradford Railway is obstructed, Damage to be made good by the Company.

XXXII. And be it enacted, That in case, during the Construction of the Works for carrying the Railway by this Act authorized across the said *Leeds and Bradford* Railway, or at any Time after such Works shall have been completed, any Damage or Injury shall be thereby occasioned to the said *Leeds and Bradford* Railway, or the Traffic thereupon shall be in any way thereby interrupted, the *Manchester and Leeds* Railway Company shall and they are hereby required

required to make good such Damage or Injury, and to reimburse the said *Leeds and Bradford* Railway Company all Costs and Expences which they shall have incurred in consequence thereof.

Saving the Rights of the Leeds and Bradford Railway Company.

XXXIII. Provided always, and be it enacted, That, except as by this Act specifically expressed, nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *Leeds and Bradford* Railway Company; but, except as aforesaid, saving and reserving to the said *Leeds and Bradford* Railway Company all the Rights, Privileges, and Franchises of the said Company, and all Powers, Authorities, and Provisions in the several Acts relating thereto.

For Protection of the Leeds and Liverpool Canal.

XXXIV. And whereas the said Railway is intended to be carried over a certain Canal called "The *Leeds and Liverpool* Canal," near a certain Place called *Saint Ann's Ing Lock* in the Township of *Wortley* in the said County of *York*, and it is expedient to provide against Obstructions being occasioned thereby to the free Navigation of the said Canal; be it therefore enacted, That in carrying the said Railway over the said Canal the said Railway Company shall and they are hereby required, at their own Expence, to make a good and substantial Bridge of Brick, Stone, Wood, or Iron over the said Canal and the Towing Path thereof, with proper Approaches thereto, and with perpendicular Foundation Walls to such Bridge, the under Side of the Opening at the Keystone of the Arch or Centre of such Bridge not being less than Eleven Feet in Height above the Top-water Level of the said Canal, upon which Bridge the said Railway shall be made, and the Opening or Span of the Arch of such Bridge shall not be less than Forty Feet wide, so as to leave a navigable Waterway of not less than Thirty-four Feet in Width, and a Towing Path of Six Feet in Width, with a clear Headway of not less than Six Feet over every Part of the Towing Path, without the Consent of the Engineer of the Company of Proprietors of the said Canal Navigation; and the Space between the Arch of such Bridge (except so much thereof as shall be occupied by the Towing Path of such Canal) shall, after the said Bridge shall have been completed, from Time to Time and at all Times thereafter, except during the necessary Repairs of the said Bridge or of the Erection of any future Bridge in lieu thereof, be left and preserved an open uninterrupted navigable Waterway.

Company not to obstruct the Navigation of the Leeds and Liverpool Canal.

XXXV. Provided always, and be it enacted, That the said Railway Company shall and are hereby required, during the Progress of constructing the said Bridge, or of the necessary Repairs thereof, or of the Erection of any future Bridge in lieu thereof, to leave an open, uninterrupted, navigable Waterway in the said Canal of not less than Twenty Feet in Width during the Time of constructing and putting in the Foundations of the said Bridge, which Time shall not exceed Six Weeks; and in case by reason or in execution of any of the Works by this Act authorized, or by reason of the bad State of Repair of the said Bridge, the said Canal shall be so obstructed as that Boats, Barges, and other Vessels using or navigating the same shall not be able to pass along the same, or in case the navigable Waterway herein-

herein-before required to be preserved during the Progress of the Works shall at any Time be contracted to a less Width than herein-before prescribed, then the said Railway Company shall pay to the said Company of Proprietors of the said Canal Navigation, as or by way of ascertained Damages, the Sum of Fifty Pounds for every Day during which such Obstruction or Contraction shall continue on the said Canal, and so in proportion respectively for any less Time than One Day; and in default of Payment of the said Sum, on Demand being made of the Treasurer or Clerk of the said Railway Company, the said Company of Proprietors of the said Canal Navigation may sue for and recover the same, together with Costs of Suit against the said Railway Company, by Action of Debt or on the Case in any of Her Majesty's Courts at *Westminster*.

Company to maintain Bridge in good Repair.

XXXVI. Provided always, and be it enacted, That unless and until the said Railway where it crosses the said Canal shall at any Time be abandoned by the said Railway Company the said Railway Company shall and they are hereby required, at their own Expence, to maintain the said Bridge and Works in perfect Repair; and if that Part of the said Railway shall at any Time be abandoned by the said Railway Company the said Railway Company shall, at their own Expence, remove the said Bridge if they shall be required so to do by the said Company of Proprietors of the Canal Navigation from *Leeds* to *Liverpool*.

Company not to deviate so as to take any Property of the Leeds and Liverpool Canal Company.

XXXVII. And be it enacted, That it shall not be lawful for the said Railway Company to make any Deviation or Diversion whatever in the Line, Course, or Direction of the said Railway as delineated and shown on the Plans thereof deposited as aforesaid, by which the said Canal or the Locks, Towing Path, Bridge, Lands, Houses, Buildings, Reservoirs, or other Works of the said Company of Proprietors of the said Canal, or any of them, or any Part thereof, shall be taken, used, or damaged for any Purpose whatsoever, except the building of the said Bridge, without the Consent in Writing under the Common Seal of the Company of Proprietors of the said Canal first had and obtained.

Railway Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. & 105.

XXXVIII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and another Act was passed in the last Session of Parliament, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the said last Session of Parliament, intituled *An Act for constituting Commissioners of Railways;* be it enacted, That nothing in this

Act contained shall be held to exempt the said Railways or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Company so far as the same shall be applicable thereto.

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

XXXIX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Expences of Act.

XL. And be it enacted, That all Costs, Charges, and Expences incident to and attending the obtaining and passing this Act shall be paid by the Company out of any Monies already raised or received by them, or out of Monies to arise or be raised by virtue of this Act.

Public Act.

XLI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1847.