

ANNO DECIMO QUINTO & DECIMO SEXTO

VICTORIÆ REGINÆ.

****

Cap. cxxxii.

An Act for abandoning certain Parts of the Undertaking of the *Lancashire and Yorkshire* Railway Company; for constructing certain new Works, and extending the Time for Completion of existing Works; and for Sale of superfluous Lands; for regulating certain Portions of the Capital of the Company and the Application of Capital; and for authorizing the raising of Money by Annuities; and for other Purposes.

[30th *June* 1852.]

WHEREAS by the *Manchester and Leeds* Railway Act, 1836, the *Manchester and Leeds* Railway Company were incorporated for the Purpose of making the Railway and Works in the said Act mentioned: And whereas further Powers were granted to the said Company by the several Acts following; that is to say, "The *Manchester and Leeds* Railway Act, 1837;" "The *Manchester and Leeds* Railway Act, 1839;" "The *Manchester and Leeds* Railway Act, 1841;" "The *Manchester and Leeds* Railway Act, 1844;" "The *Manchester and Leeds* Railway Act (No. 1), 1845;" "The

Manchester and Leeds Railway Act (No. 2), 1845;" "The *Manchester and Leeds* Railway Act, 1846;" "The *Manchester and Leeds* Railway Act (No. 1), 1847;" "The *Manchester and Leeds* Railway Act (No. 2), 1847;" "The *Manchester and Leeds* Railway Act (No. 3), 1847," (by which last-mentioned Act the Name of the said Company was changed to that of the *Lancashire and Yorkshire* Railway Company;) "The *Lancashire and Yorkshire* Railway Act, 1848;" "The *Lancashire and Yorkshire* Railway Act, 1849;" and "The *Lancashire and Yorkshire* Railway Act, 1850:" 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-under-Lyne* and *Stalybridge*, and under the Provisions of the same Act the Undertaking and Powers of the last-mentioned Company 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 a certain Extension of the said last-mentioned Railway: And whereas by "The *Manchester, Bolton, and Bury* Canal and Railway Act, 1831," the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway were incorporated, with Powers to make a Railway from *Manchester* to *Bolton* and *Bury*; and further Powers were granted to them by "The *Manchester, Bolton, and Bury* Canal and Railway Act, 1832," "The *Manchester, Bolton, and Bury* Canal and Railway Act, 1835," "The *Manchester, Bolton, and Bury* Canal and Railway Act, 1838," and "The *Manchester, Bolton, and Bury* Canal and Railway Act (No. 2), 1846;" and under the Provisions of "The *Manchester, Bolton, and Bury* and *Manchester and Leeds* Canal and Railways Act, 1846," their Undertakings and Powers became vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *Liverpool and Bury* Railway Act, 1845," the *Liverpool and Bury* Railway Company were incorporated, with Power to make a Railway from *Liverpool* to *Bury*; and further Powers were granted to them by "The *Liverpool and Bury* Railway Act, 1846;" and under the Provisions of "The *Liverpool and Bury* and *Manchester and Leeds* Railways Act, 1846," their Undertakings and Powers have become vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *Huddersfield and Sheffield Junction* Railway Act, 1845," the *Huddersfield and Sheffield Junction* Railway Company were incorporated, with Powers to make a Railway from *Huddersfield* to *Penistone*; and under the Provisions of "The *Huddersfield and Sheffield Junction* and *Manchester and Leeds* Railway Act, 1846," their Undertakings and Powers have become vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *West Riding Union* Railways Act, 1846," the *West Riding Union* Railways Company were incorporated, with

with Powers to make the *West Riding Union* Railways, and under the Provisions of the same Act their Undertakings and Powers have become vested in the *Lancashire and Yorkshire* 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 further Powers were granted to them by "The *Wakefield, Pontefract, and Goole* Railway Branches Act, 1846," and "The *Wakefield, Pontefract, and Goole* Railway and Port of *Goole* Act, 1846," and under the Provisions of the said Acts their Undertakings and Powers have become vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *Manchester and Southport* Railway Act, 1847," the *Manchester and Southport* Railway Company were incorporated, with Powers to make the *Manchester and Southport* Railway, and under the Provisions of the same Act their Undertakings and Powers in the Event therein mentioned will become vested in the *Lancashire and Yorkshire* Railway Company: And whereas by "The *Oldham Alliance* Railway Act, 1847," the *Oldham Alliance* Railway Company were incorporated, with Powers to make the *Oldham Alliance* Railway; and under the Provisions of the same Act their Undertakings and Powers in the Event therein mentioned will become vested in the *Lancashire and Yorkshire* Railway Company: And whereas, under the Provisions of "The *North Union* Railways Purchase Act, 1846," 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 *Lancashire and Yorkshire* Railway Companies: And whereas, under the Provisions of "The *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Act, 1846," certain Portions of the Railways thereby authorized, with the Powers and Authorities of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company, in respect thereof, have become vested in the said *Lancashire and Yorkshire* Railway Company for the Term of One thousand Years: And whereas by "The *Leeds* Central Railway Station Act, 1848," the *Lancashire and Yorkshire* Railway Company, in conjunction with the *Leeds, Dewsbury, and Manchester, Leeds and Thirsk*, and *Great Northern* Railway Companies, are authorized to make the *Leeds* Central Railway Station and Works connected therewith: And whereas, under the Provisions of "The *Lancashire and Yorkshire* and *London and North-western* Railways (*Preston and Wyre* Railway, Harbour, and Dock vesting) Act, 1849," the Undertakings and Powers of the *Preston and Wyre* Railway, Harbour, and Dock Company have become vested in the *Lancashire and Yorkshire* and *London and North-western* Railway Companies: And whereas it is expedient that the Application of Monies raised under the recited Acts, or some of them, to Purposes of the Company,

pany, other than those for which the same were specially authorized to be raised, but being lawful Purposes of the Company, should be confirmed, and that Provision should be made for the future Application of the Capital of the Company: And whereas, under Resolutions of the Company, made and passed at Special General Meetings of the Proprietors of the Company, held on the Third Day of *September* One thousand eight hundred and forty-five and the Twenty-fifth Day of *November* One thousand eight hundred and forty-six respectively, One hundred and twenty-six thousand eight hundred and nineteen Shares of the Company, of the nominal Amount of Twenty Pounds each, commonly called "Fifth Shares," to the aggregate nominal Amount of Two millions five hundred and thirty-six thousand three hundred and eighty Pounds, were created on the Terms of the Holders thereof being entitled to ordinary Dividend on the whole nominal Amount of each Share, less Interest, after the Rate of Five Pounds *per Centum per Annum* on the Portion of such nominal Amount for the Time being not called up, but at the Time when such Shares were created the Dividend for the Time being actually accruing on the ordinary Stock or Shares of the Company was after a greater Rate than Five Pounds *per Centum per Annum:* And whereas Disputes have arisen between the Company and the Holders of such "Fifth Shares," and also between the Directors and the Holders of such "Fifth Shares," and it is expedient that such Disputes should be arranged and settled on equitable Terms: And whereas at a Special General Meeting of the Proprietors of the Company duly convened, and held on the Thirty-first Day of *May* One thousand eight hundred and forty-eight, the following Resolutions were made and passed by the Company; namely,

First, that the several Sums of One hundred and twenty thousand Pounds, One hundred and forty thousand Pounds, Fifty-six thousand Pounds, Fourteen thousand Pounds, Five hundred and seventy-five thousand Pounds, and One hundred and fifty thousand Pounds (which the Company were authorized to raise under the Powers of "The *Manchester, Bolton, and Bury* Canal and Railways Act, No. 2, 1846," "The *Manchester, Bolton, and Bury* and *Manchester and Leeds* Canal and Railways Act, 1846," and the several Acts passed in the then last Session of Parliament, enabling them in that Behalf), making together the Sum of One million and fifty-five thousand Pounds, should be raised by the Creation of One hundred and five thousand five hundred Shares of Ten Pounds each, to be called "Guaranteed Six Pounds *per Centum* Shares," which should be entitled to a fixed Dividend of Six Pounds *per Centum per Annum* in perpetuity, in preference to the Dividends payable on the existing Shares of the Company, but without Participation in any surplus Dividends or any future Issue of Shares or Stock, or any other Profit or Benefit:

Second,

Second, that the said Ten Pounds Shares should be paid up by the following Instalments; Two Pounds Ten Shillings *per* Share on the Thirtieth Day of *June* One thousand eight hundred and forty-eight, Two Pounds Ten Shillings *per* Share on the Twenty-fifth Day of *September* One thousand eight hundred and forty-eight, Two Pounds Ten Shillings *per* Share on the Twenty-first Day of *December* One thousand eight hundred and forty-eight, and Two Pounds Ten Shillings *per* Share on the Twenty-sixth Day *March* One thousand eight hundred and forty-nine:

Third, that every Proprietor of existing Shares who should be registered as such on the Fifth Day of *June* One thousand eight hundred and forty-eight should be entitled to One of the said new Shares in respect of every One hundred Pounds (nominal Value) of the Shares then standing in his Name (rejecting any Fraction under Fifty Pounds, but allowing One Ten Pounds Share in respect of any Fraction amounting to Fifty Pounds or upwards), provided he paid the First Instalment of Two Pounds Ten Shillings *per* Share on or before the Thirtieth Day of *June* One thousand eight hundred and forty-eight, and each of the subsequent Instalments within One Calendar Month after the Date of its becoming due:

Fourth, that the Directors should be authorized to dispose of the new Shares in respect of which the first or any subsequent Instalment should not be paid as provided for in the last Resolution, at such Times, upon such Terms, and in such Manner as they should think fit for the Benefit of the Company:

Fifth, that, subject as after mentioned, the said new Shares should be entitled to Dividends, at the Rate aforesaid, upon the several Instalments from the respective Days therein-before fixed for Payment thereof, such Dividends to become due, in half-yearly Portions, on the Thirtieth Day of *June* and the Thirtieth Day of *December* in every Year, and to be paid within One Calendar Month after becoming due, and the First Payment to become due on the Thirty-first Day of *December* One thousand eight hundred and forty-eight:

Sixth, that in case any Instalment on any of such new Shares should not be paid on the Day when due, the Holder of such Share or Shares should be charged with Interest, at the Rate of Five Pounds *per Centum per Annum* upon the Instalment so in arrear, until duly paid; and further, so long as any Instalment should be in arrear on any of his said Shares, no Dividend should accrue in respect of the Instalments for the Time being paid either on the same or on any other of his said Shares:

Seventh, that every Holder of such new Shares who should pay any of the Instalments thereon in advance should be allowed

a Discount on the Amount so paid at the Rate of Six Pounds *per Centum per Annum*:

And whereas, under Resolutions made and passed at a Special General Meeting of the Proprietors of the Company, held on the Ninth of *September* One thousand eight hundred and forty-six, Thirty-nine thousand and sixty-nine Shares in the Company, of Thirty-two Pounds each, were created: And whereas, at a Special General Meeting of the Proprietors of the Company, held on the Third Day of *July* One thousand eight hundred and fifty, the following Resolutions were made and passed; namely,

That under the Powers of "The *Lancashire and Yorkshire* Railway Act, 1848," and "The *Lancashire and Yorkshire* Railway Act, 1849," and upon the Consent and Approval in accordance with the Provisions of the said Acts of the Holders of the Shares in the *Lancashire and Yorkshire* Railway Company, called Thirty-two Pounds Shares, or Thirds Extension Stock (being the Shares created as last aforesaid), upon which Shares Eighteen Pounds each had been called, the following new Arrangement or Alteration of the existing Arrangements as to such Shares, and the Rights attaching thereto, should be made with the Holders thereof; namely,

That each of the said Thirty-two Pounds Shares should be divided into a Twelve Pounds Share paid up in full, and a Twenty Pounds Share with Six Pounds paid up, such Division of each Share to take effect on the First Day of *October* One thousand eight hundred and fifty; or in case upon any such Share or Shares the full Amount called up in respect thereof should not then have been paid, then as to such last-mentioned Share or Shares so soon after that Day as the Call or Calls in arrear, with Interest thereon, should have been paid;

That such Twelve Pounds Shares should be consolidated into General Stock, and should take Dividends *pro ratâ* with the ordinary Consolidated Stock of the Company, as from the First Day of *July* then instant;

That such Twenty Pounds Shares (to be called Twenty Pounds F. Shares) should be called up, at the Discretion of the Directors, for the Purposes of the original Thirty-two Pounds Extension Shares and Mortgage Capital, subject to the Provisions of the Company's Acts with regard to Time and Amount of Calls;

That, subject as after mentioned, the Holders of the said new Twenty Pounds F. Shares should be entitled to Dividends thereon, as follows; *viz.* in respect of Six Pounds, the paid-up Portion thereof, at the Rate of Four and a Half *per Centum per Annum*, in preference to the ordinary Shares and Stock of the Company (but ranking after the existing "Consolidated Six Pounds

Pounds *per Cent.* Preference Stock"), until any half-yearly Dividend declared on the ordinary Consolidated Stock of the Company should amount to Two and a Quarter *per Centum* or upwards, from which Time the said Preference Dividend should cease, and the said Six Pounds should take Dividend rateably with the ordinary Consolidated Stock of the Company; and in respect of the uncalled-up Portion thereof, the Holders of the same Shares should be entitled to Dividends on the Amount for the Time being called up rateably with the ordinary Consolidated Stock of the Company, the said Dividend to be payable half-yearly on the Days from Time to Time fixed for Payment of the Company's ordinary Dividends; and as to the Amount paid up when the Division of the said Shares took place, to take Date as from the First Day of *July* then instant; and as to the Amounts afterwards called, from the respective Days on which the Calls from Time to Time should become due;

That as from the First Day of *July* instant no Holder of a Thirty-two Pounds Share should be entitled to any Dividend in respect of such Share:

And whereas at a Meeting of the Holders of the said Class of Shares in the Company, denominated "Thirty-two Pounds Shares, or Thirds Extension Stock," held on the Third Day of *July* One thousand eight hundred and fifty, and by Adjournment on the following Day, the said Resolutions made and passed at the last-mentioned Special General Meeting of the Proprietors of the Company were unanimously consented to and approved of: And whereas it is expedient that the said Resolutions made and passed on the Thirty-first Day of *May* One thousand eight hundred and forty-eight, and the Third Day of *July* One thousand eight hundred and fifty respectively as aforesaid, should be confirmed: And whereas the Company are now possessed of or entitled to divers Shares in the Company which have been acquired by Purchase or otherwise, and are specified in the Schedule (A.) to this Act, and are now vested in or held in trust for the Company, and the Company are now possessed of or entitled to certain Shares and Stock in other Companies which have been acquired by Purchase, and are specified in the Schedule (B.) to this Act, and are now vested in or held in trust for the Company: And whereas it is expedient that the Acquisition of the said several Shares and Stock respectively, and the Application of Monies to that Purpose, should be ratified, and the Title of the Company thereto confirmed: And whereas the several Shares in the Company specified in the Schedule (C.) to this Act have not been issued, and it is expedient that the same should be merged in the Capital of the Company: And whereas it is or may be expedient that all or some of the Monies authorized to be borrowed by the Company on Mortgage or Bond should be raised by,

by, and that all or some of the Mortgage or Bond Debt of the Company should be converted into, perpetual irredeemable Annuities: And whereas it is expedient that certain Undertakings and Works of the Company should be abandoned, and that the Period for completing certain other Works should be extended, and also that further Time and Powers should be granted to the Company for the Sale of Lands not required for the Purposes of the Company: And whereas it is expedient to enable the Company to construct Two Bridges over *Ordsall Lane* in the Township of *Salford* in the Parish of *Manchester* in the County of *Lancaster*, for the more convenient Occupation of the Station and Works of the Company in the said Township of *Salford*, and also to provide additional Station Accommodation at or near the *Rochdale* Station of the Company, in the Township of *Castleton* in the Parish of *Rochdale* in the County of *Lancaster*, and also near *Great Howard Street* and *Love Lane* in the Township and Parish of *Liverpool* in the said County, and for the last-mentioned Purpose to stop up and appropriate Part of certain Streets or Roads in the said Township and Parish of *Liverpool*, called respectively *Love Lane* and *Thornton Street*; and Plans and Sections of the said several proposed Works, showing the Situations, Lines, Levels, and other Particulars of the same respectively, and the Lands and Houses proposed to be taken for the Purposes thereof respectively, together with Books of Reference to such Plans respectively, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands and Houses proposed to be taken as aforesaid, have been deposited with the Clerks of the Peace for the County of *Lancaster* and the West Riding of the County of *York* respectively: And whereas for the several Purposes aforesaid it is expedient to alter, vary, and amend the several recited Acts, or some of them; but the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. That in citing or referring to this Act for any Purpose, or on any Occasion, it shall be sufficient to use the Expression "The *Lancashire and Yorkshire* Railway Act, 1852."

Interpretation of Terms.

II. That in this Act the Expression "the Company" shall denote "The *Lancashire and Yorkshire* Railway Company."

8 & 9 Vict. cc. 18. & 20. incorporated with this Act.

III. That all the Provisions of the Railways Clauses Consolidation Act, 1845, and of the Lands Clauses Consolidation Act, 1845, shall, for

for the Purposes of the new Works authorized by this Act, be incorporated with this Act.

Power to construct Works according to deposited Plans, &c.

IV. That (subject to the Provisions in this Act and in the Railways Clauses Consolidation Act, 1845, and in the Lands Clauses Consolidation Act, 1845) it shall be lawful for the Company to make and maintain the several Works proposed to be made as aforesaid in the respective Situations, Lines, and Levels, and in the Manner shown in the deposited Plans and Sections, and upon the respective Lands delineated on the said Plans and described in the said Books of Reference respectively, and to enter upon, take, and use such of the said respective Lands as shall be necessary for such Purposes respectively, and particularly for the Purpose of enlarging the Station of the Company near *Great Howard Street* and *Love Lane* in the Township and Parish of *Liverpool* aforesaid, to stop up and appropriate for the Use of the Company, in the Manner shown on the deposited Plans, the Portions therein delineated of the Streets or Roads in the said Township and Parish called respectively *Love Lane* and *Thornton Street*.

Width of existing Bridge over Ordsall Lane not to be increased.

V. That, notwithstanding anything in this Act or the Acts incorporated herewith contained, the Company shall not construct any Works whereby the present Width of the existing Bridge of the Company over *Ordsall Lane* aforesaid may be increased.

No new Bridge to be constructed on North-east Side of Bridge over Ordsall Lane.

VI. That, notwithstanding anything in this Act contained, it shall not be lawful for the Company to construct any new Bridge or other Works over *Ordsall Lane* aforesaid, on the North-east Side of the existing Bridge of the Company over *Ordsall Lane* aforesaid.

Mode in which new Bridges over Ordsall Lane are to be constructed.

VII. That the Company shall not, without the Consent of the Mayor, Aldermen, and Burgesses of the Borough of *Salford*, to be signified in Writing under the Hand of the Town Clerk for the Time being of the said Borough, construct any Bridge or Viaduct over or across *Ordsall Lane* aforesaid, which shall be of a greater Width than Thirty Feet between the Parapets of such Bridge or Viaduct, and which shall not leave a clear Space of Thirty Feet between such Bridge or Viaduct and the existing Bridge of the Company over *Ordsall Lane* aforesaid, and which shall not leave a clear Space of Thirty Feet between such Bridge or Viaduct and any other Bridge or Viaduct to be erected by the Company under the Provisions of this Act across *Ordsall Lane* aforesaid.

The Bridge which carries Ordsall Lane over the

VIII. That the Company shall at all Times hereafter maintain and keep in good and sufficient Repair and Condition the existing Bridge whereby *Ordsall Lane* aforesaid is carried over the Canal belonging

Canal to be kept in repair by the Company.

to the Company: Provided always, that the Mayor, Aldermen, and Burgesses of the Borough of *Salford* shall first put into good and sufficient Repair and Condition, to the Satisfaction of the Engineer of the Company, the Portion of the said Bridge which was constructed by them: Provided also, that the Roadway of the said Bridge shall be at all Times maintained and repaired by the said Mayor, Aldermen, and Burgesses.

Construction of Railway across Ordsall Lane in Salford.

IX. That every Bridge to be erected by the Company over the said Street called *Ordsall Lane* shall be built of Brick, Stone, or Iron, or some of those Materials; no Pillars, Piers, or other Obstructions shall be placed upon the Footway or Carriageway of the Street; the Piers, Pillars, or Abutments, and Foundations of every Bridge shall extend and be made below the Surface of the Street to a Depth sufficient to allow the Mayor, Aldermen, and Burgesses of the Borough of *Salford* to make and construct any Sinks, Drains, Sewers, or Watercourses, and to lay and deposit any Main or other Pipes, which under or by virtue of any Act of Parliament they are authorized to make and construct, or lay down and deposit in the Street; the inside Face of the Piers, Pillars, or Abutments of every Bridge shall be built lineable or parallel with the Buildings on each Side of the Street, and if there be no Buildings, then with the Side of the Street, and without any Angles, Corners, or Recesses; there shall be Battlements or Parapet Walls along each Side of the Bridge throughout the entire Length thereof, of the Height of Four Feet at the least above the Surface of the Rails; every Arch or other Crossing shall be made and maintained Drop-dry at all Times; and the Height of the Springings of the Arches, and the Arches and Girders and every Part thereof of every such Bridge shall be at least of equal Height with the existing Bridge of the Company over *Ordsall Lane* aforesaid, and shall not be less than the Height defined upon the Section deposited as aforesaid.

Plans of Bridges over Streets to be submitted to the Town Council.

X. That Copies of the Plans, Sections, Drawings, and Specifications of every Bridge to be built by the Company over *Ordsall Lane* shall be deposited with the Town Clerk of the Borough of *Salford* before the Company shall commence the Construction of such Bridges.

Company to keep the said Bridges, Viaducts, &c., in good Repair.

XI. That the Company shall at all Times for ever, after any Bridge, Viaduct, Parapet Wall, or Battlement by this Act authorized to be built by the Company over or across *Ordsall Lane* aforesaid shall have been erected, built, made, and constructed, keep the same Bridge, Viaduct, Parapet Wall, and Battlement, and every of them respectively, and all future Bridges, Viaducts, Parapet Walls, and Battlements to be erected and built, made and constructed in lieu thereof respectively, or of any of them, and which shall be of the like Dimensions, Capacity,

and

and Materials as are herein-before mentioned, in good, perfect, and complete Repair; and in case any of the said Bridges, Viaducts, Parapet Walls, or Battlements, or any other Portion of the said Viaducts or Railway Works, shall at any Time, in the Opinion of the Stipendiary Magistrate for the Time being of the said Borough of *Salford*, be out of repair, and not kept and maintained by the Company in all respects in the State and Condition required by this Act, then and in every such Case, and so often as the same shall happen, it shall be lawful for the said Stipendiary Magistrate, by any Writing under his Hand, to order and direct the Company effectually to repair or rebuild such Bridge, Viaduct, Parapet, or Battlement, and other Works, and to put the same in the State and Condition required by this Act; and if the Company shall not within the Space of One Month at furthest, or within such shorter Time as under the Circumstances of the Case may to the said Stipendiary Magistrate appear reasonable, after the Service of such Order or Notice, commence such Repair or Rebuilding, and proceed therein with all reasonable Expedition until the same shall be completed, then and in every such Case the Company shall forfeit and pay to the Mayor, Aldermen, and Burgesses of the Borough of *Salford* the Sum of Five Pounds for each and every Day which, after the Expiration of the said Period of One Month, or other the Time named in such Order for the Commencement of the said Works, they shall refuse or fail to repair or rebuild the Bridge, Viaduct, Parapet, or Battlement or other Works in such Order directed to be repaired or rebuilt, and to proceed therein with all reasonable Expedition.

Company not to interrupt the free Passage of Streets.

XII. That nothing in this Act contained shall extend or be construed to extend to authorize the Company to raise, lower, alter, or otherwise interfere with the present Level or Inclination of *Ordsall Lane* aforesaid, or of any Part thereof, nor to obstruct, prevent, or hinder more than One Half in Width at the same Time of the free and uninterrupted Passage in, over, or along any Part or Parts of the said Street, nor to continue such Obstruction for a greater or longer Period than Two Calendar Months, nor, after any Bridge by this Act authorized to be constructed over the said Street shall have been commenced, to be a greater or longer Period than Nine Calendar Months in the erecting, building, Construction, and completing the said Bridge, and the Parapets, Battlements, and other Works thereof respectively; and in case the Company shall act contrary to the Provisions and Restrictions or any of them in this Clause contained, without the Consent in Writing of the said Mayor, Aldermen, and Burgesses of the Borough of *Salford*, or their Surveyor, first had and obtained, the Company shall be and are hereby made subject and liable, for every Breach of the Provisions and Restrictions aforesaid, to the Payment to the said Mayor, Aldermen, and Burgesses of the Penalty of Ten Pounds for each and every Day during which such Breach shall exist.

XIII. That,

Sufficient Hoards to be erected for the Protection of the Public during the Execution of certain Works.

XIII. That, previously to the Commencement of and during the Progress of the Works over or across *Ordsall Lane* aforesaid, hereby authorized to be done by the Company, the Company shall from Time to Time cause such proper and sufficient Hoards, Fences, Stages, and Lights to be erected, set up, and continued in such Situations and for such Time as the said Mayor, Aldermen, and Burgesses shall deem necessary for the Protection and Convenience of the Public, and they shall by Notice in Writing to the Company order and direct; and if the Company shall refuse or neglect to erect or set up any such Hoards, Fences, Stages, and Lights, or any of them, or shall not continue the same standing and in good Condition, or shall not remove the same within a reasonable Time after being required by the said Mayor, Aldermen, and Burgesses by Notice in Writing, then and in every such Case the Company shall be and are hereby made subject and liable to the Payment to the said Mayor, Aldermen, and Burgesses of the Penalty of Five Pounds for each and every Day during which they shall so refuse or neglect to erect and set up, or to continue standing and in good Condition, or to remove the same Hoards, Fences, Stages, and Lights, or any of them.

Saving Rights of Corporation of Salford with respect to their Waterworks.

XIV. Provided always, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Mayor, Aldermen, and Burgesses of the Borough of *Salford*, under or by virtue of "The *Salford* Improvement Act, 1830," "The *Salford* Improvement Act, 1844," "The *Manchester* Corporation Waterworks Act, 1847," "The *Manchester* Corporation Waterworks Act, 1848," "The *Salford* Waterworks and Improvement Act, 1850," or to which they are or may be entitled under and by virtue of the said Acts or any of them.

Council to have free Access to Sewers, &c.

XV. That the Mayor, Aldermen, and Burgesses of the said Borough of *Salford*, and any Person or Persons with their Authority on their Behalf, shall at all Times have free and uninterrupted Access to the said Street, and to the present and future Gutters, Sinks, Drains, Sewers, and Watercourses therein belonging to the said Borough, and that the said Mayor, Aldermen, and Burgesses, and every Person or Persons with their Authority on their Behalf, shall at all Times have free and uninterrupted Access to all or any of the Main Pipes, Service Pipes, Branch Pipes, or other Pipes belonging to the said Mayor, Aldermen, and Burgesses, and now laid or which may be laid in the said Street, and that the Company shall give Notice in Writing, to be left at the Office of the Town Clerk of the said Borough, in manner following; that is to say, One Calendar Month's Notice before they interfere with or disturb any underground Gutter, Sink, Drain, Sewer, or Watercourse, or any Main Pipe; Seven Days

Days Notice before they interfere with or disturb any Branch Pipe for supplying Lamps, Houses, Shops, Warehouses, Offices, or other Buildings, either of a private or public Description; and the said Gutters, Sinks, Drains, Sewers, Watercourses, Pipes, and Works which it may be necessary for them to interfere with or disturb in forming the said Works shall then be altered, varied, raised, removed, taken up, or relaid by the said Mayor, Aldermen, and Burgesses, in such Direction, Manner, and Form as they shall think proper; and if, in the Opinion of the Stipendiary Magistrate for the Time being of the said Borough, it shall be necessary to substitute new Gutters, Sinks, Drains, Sewers, and Watercourses, Pipes or Works, in lieu of those which may be removed for the Purposes of the said Works as aforesaid, the said Mayor, Aldermen, and Burgesses may and they are hereby authorized to substitute the same accordingly, and the Costs and Charges incurred thereby shall be borne by the Company, and be by them paid to the said Mayor, Aldermen, and Burgesses, or any Person appointed by them to receive the same, and in default of Payment within Seven Days after Notice in Writing to the Company any Two Justices shall and they are hereby required, on Application by the said Mayor, Aldermen, and Burgesses, or by any Person authorized by them by Warrant under the Hands and Seals of the said Justices, to cause the Amount of such Costs and Charges to be levied and recovered by Distress and Sale of the Goods and Chattels of the Company, and to be paid to the said Mayor, Aldermen, and Burgesses, or to any Person appointed by them to receive the same, rendering the Overplus, if any, on Demand, after deducting the Costs and Charges of and attending such Distress and Sale to the Company, or their Secretary, or otherwise the said Mayor, Aldermen, and Burgesses shall and may sue for and recover the same from the Company in any Court of competent Jurisdiction; and in case the said Mayor, Aldermen, and Burgesses shall not, within a reasonable Time after Notice to be given as aforesaid, alter, vary, raise, take up, remove, divert, relay, or repair such of the said Sinks, Drains, Sewers, Watercourses, Pipes, and Works as may be necessary to be altered, raised, taken up, relaid, or repaired as aforesaid, then and in every such Case the Company may do so at the Cost and Charges of the Company.

In case Pavements injured, Company to make good the same.

XVI. That the said Street called *Ordsall Lane*, and the present and future Pavements, Flags, Sinks, Drains, Sewers, and Watercourses therein or thereon, and every or any Part or Parts thereof, which shall or may be damaged, injured, affected, or destroyed by the Company in or about the Execution of the Powers hereby given to them, or any of them, shall be repaired, made good, and reinstated by the said Mayor, Aldermen, and Burgesses, when, as, and in such Manner and Form, as shall be thought necessary and proper by the said Stipendiary

Magistrate; and the Expenses of and attending the same shall be borne by the Company, and paid by them to the said Mayor, Aldermen, and Burgesses, and in default of Payment within Seven Days after Notice in Writing to the Company may be recovered by the said Mayor, Aldermen, and Burgesses from the Company in the Manner herein directed with respect to the Recovery of Costs and Charges which may be incurred by the said Mayor, Aldermen, and Burgesses in altering, taking up, or relaying any Gutters, Pipes, and Works which may be interfered with in forming the said Railway Works.

Interpretation of certain Terms in Railways Clauses Consolidation Act.

XVII. That the Sections of "The Railway Clauses Consolidation Act, 1845," numbered respectively in the Queen's Printers Copies thereof Eighteen, Nineteen, Twenty, Twenty-one, Twenty-two, and Twenty-three, shall be applicable to the Pipes and Works of the Mayor, Aldermen, and Burgesses of the Borough of *Salford*, and for the Purposes of this Act shall be read as if the said Mayor, Aldermen, and Burgesses were a Company or Society authorized to furnish the Inhabitants of the said Borough with Gas and Water.

Company to provide for the widening of Chadwick Street on stopping up Parts of Love Lane and Thornton Street.

XVIII. And whereas the said Streets called *Love Lane* and *Thornton Street*, Parts of which are proposed to be stopped up and appropriated under the Powers of this Act, are now used as public Thoroughfares between *Great Howard Street* and other Parts of *Love Lane* not so intended to be stopped up and appropriated; and such Streets are respectively under the Control and Management of the Council of the Borough of *Liverpool:* And whereas the Effect of stopping up and appropriating the Portions of the said Streets as by this Act authorized, may be to increase, to an inconvenient Extent, the Traffic in *Chadwick Street*, which runs between *Great Howard Street* and *Love Lane:* Be it therefore enacted, That the Company shall and they are hereby required, before they shall stop up and appropriate the said Streets called *Love Lane* and *Thornton Street*, or either of them, or any Part thereof respectively, to pull down and remove so much of the Buildings now erected on the South Side of *Chadwick Street* aforesaid (other than and except the Railway Viaduct and the Piers and Abutments thereof) as shall be sufficient to enable the said Company to widen to the Extent of Forty-five Feet beyond the present Width thereof so much of *Chadwick Street* as lies between *Thornton Street* and *Great Howard Street*, except at the Place where the said Viaduct crosses the same, and the Company shall cause the Land to the Extent of Forty-five Feet in Width for the Length aforesaid, and also the Land under the Arch next adjoining on the Southward the Arch now crossing *Chadwick Street*, to be levelled, formed, paved, and flagged, by and at the Expense of the Company, to the Satisfaction of the said Council or some Committee thereof, and the same shall be dedicated and appropriated

appropriated as a public Street and Highway as Part of *Chadwick Street*.

Company to pay 1,500*l.* for such Purpose.

XIX. That if the stopping up and appropriating of the said Streets under the Powers of this Act shall, in the Opinion of the said Council, render it expedient for the Convenience of the Public to widen so much of *Chadwick Street* as lies between *Thornton Street* and *Love Lane* to the like Extent of Forty-five Feet, and the Council shall purchase so much of the Land on the South Side of *Chadwick Street* as shall be necessary for that Purpose, and shall have levelled, formed, paved, flagged, and completed the same as Part of *Chadwick Street*, the Company shall forthwith on Notice thereof given to them under the Hand of the Town Clerk of the said Borough pay to the Treasurer of the said Borough the Sum of One thousand five hundred Pounds, such Sum to be applied towards the Expense of making such Purchase and completing such Street; which Sum of One thousand five hundred Pounds, in case of Nonpayment, may be recovered by the Mayor, Aldermen, and Burgesses of the said Borough from the Company, with Costs of Suit, by Action of Debt in any of Her Majesty's Superior Courts of Record.

Company to place Gates at West End of Love Lane.

XX. That it shall be lawful for the Company, with the Consent of the said Council or some Committee thereof, testified under the Hand of the Town Clerk, and also with the Consent of the *London and North-western* Railway Company, testified by Writing under their Common Seal, to place Gates at the West End of *Love Lane* where the same abuts on *Great Howard Street*, such Gates to be placed and constructed to the Satisfaction of the said Council or Committee and of the *London and North-western* Railway Company; and it shall be lawful for the Company, when such Gates have been so placed with such respective Consents as aforesaid, to build or arch over *Love Lane* within such Gates.

Power to raise additional Money.

XXI. And whereas the estimated Expense of constructing the new Works by this Act authorized is Fifteen thousand Pounds: Be it enacted, That it shall be lawful for the Company at any Time, and from Time to Time, by an Order of any General or Special General Meeting of the Company, to raise such Sums of Money as they shall from Time to Time deem expedient, not exceeding in the whole the Sum of Fifteen thousand Pounds, exclusive of the Monies authorized to be raised by the several recited Acts relating to their Undertakings, or any of them, or by virtue of any other Act or Acts of Parliament; and all and every Part of such Sum of Money so to be raised shall be applied to the Construction of the new Works by this Act authorized, and to no other Purpose.

XXII. That,

Additional Money may be raised by Creation of Shares or Mortgage.

XXII. That, for the Purpose of raising such Sums of Money, the Company may, with the Consent of Three Fifths of the Votes of the Shareholders present in Person or by Proxy at any General Meeting of the Company, when due Notice for that Purpose shall have been given, issue such and so many distinct Shares, of such Amount, and to be appropriated and disposed of in such Manner, and to such Persons, and on such Conditions, and with such Preference or Priority of Dividend not exceeding after the Rate of Six Pounds *per Centum per Annum*, and generally on such Terms as by the Order of any such Meeting of the Company shall be determined; or it shall be lawful for the Company, if they think fit, to raise such Sums of Money, or any Part thereof, by Mortgage of their several Undertakings; and, so far as applicable and subject to the Provisions of this Act, all the Provisions of "The Companies Clauses Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, and with respect to the Transfer or Transmission of Shares, with respect to the Payment of Subscriptions, and the Means of enforcing the Payment of Calls, and with respect to the Forfeiture of Shares for Nonpayment of Calls, and with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Conversion of borrowed Money into Capital, and with respect to the Consolidation of Shares into Stock, shall be applicable to the Capital and Monies hereby authorized to be raised by Shares or Mortgage and to the Proprietors thereof: Provided, that until the whole of the Capital for the Time being of the Company shall have been subscribed, and One Half thereof paid up, it shall not be lawful for the Company to raise such Sums or any Portion thereof by Mortgage; and provided also, that the Company shall not by any such Means increase the Amount which may be owing at any One Time on Mortgage of their Undertakings beyond the Proportion of One Third of their then existing Capital in Shares and Stock.

Saving Rights of Holders of existing Preference Shares.

XXIII. Provided always, That any Preference or Priority in the Payment of Interest or Dividends which may be assigned to any Shares to be created by virtue of this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividends which may have been assigned to any other Shares which may have been granted by the Company in pursuance of, or which may have been confirmed by, this Act or any previous Act, or which may otherwise be lawfully subsisting.

Calls.

XXIV. Provided also, That Twenty *per Centum* on the nominal Amount of each of such new Shares shall be the greatest Amount of any One Call which the Directors may make on the Shareholders in respect of the Money by this Act authorized to be raised; and Two Months at the least shall be the Interval between successive Calls; and

and the aggregate Amount of Calls on any One Share in any One Year shall not exceed Four Fifths of the Amount of such Share.

Power to purchase certain Glebe Lands on Chief Rents.

XXV. That it shall be lawful for the Vicar or Incumbent for the Time being of the Vicarage of *Rochdale* in the Parish of *Rochdale*, with the Consent of the Patron of the said Vicarage, and of the Lord Bishop of *Manchester* or other the Ordinary for the Time being (to be testified in Writing under their respective Hands), to sell and convey any Lands (being Part of the Glebe of such Vicarage), which the Company are empowered to take for the Purposes of this Act, unto the Company in consideration of an annual Rentcharge payable by the Company to such Vicar or Incumbent for the Time being, and charged upon the Undertaking of the Company, and recoverable in such Manner as is by "The Lands Clauses Consolidation Act, 1845," provided and declared with respect to Chief Rents payable to Vendors absolutely entitled to the Lands sold.

Powers for compulsory Purchase of Lands and Periods for Completion of certain Works extended.

XXVI. That the Company may lawfully exercise for the Period of Two Years from the passing of this Act all the Powers granted by "The *Lancashire and Yorkshire* Railway Act, 1849," for the compulsory Purchase of Lands and Houses for the Purposes of the Extension of the *Clifton* Branch of the *Lancashire and Yorkshire* Railway thereby authorized, being the Railway secondly described in the said Act, as fully and effectually as if the Period limited by such Act for the Exercise of such Powers had extended to the said Period of Two Years from the passing of this Act, and the Periods limited for the Completion of the said Extension Railway, and for the Construction of a Bridge or Archway under a Street in the Borough of *Manchester* called *York Street* or *York Road*, authorized by "The *Manchester and Leeds* Railway Act, 1846," shall be and the same are hereby respectively extended to a Period of Three Years from the passing of this Act.

Clifton Branch not to be opened &c., until certain Branch Railway shall be made and completed.

XXVII. That the said Extension of the *Clifton* Branch of the *Lancashire and Yorkshire* Railway shall not be opened or used for the Purposes of Traffic unless and until the Branch Railway authorized by "The *Lancashire and Yorkshire* Railway Act, 1849," and therein described as commencing by a double Junction with the Extension of the *Clifton* Branch Railway thereby authorized on the South-easterly Side of *Kearsly Moss* in the Township of *Kearsly* in the Parish of *Dean*, and as terminating in a certain Field called *Moreton Moss*, and as there to form a Junction with the *Wardley* Branch of the *Manchester and Southport* Railway at the Terminus thereof, shall be made and completed in all respects.

Existing Contracts not to be prejudiced.

XXVIII. That the Extension of Time by this Act authorized shall not prejudice or affect any Contract or Agreement entered into or any Notice given by the Company before the passing of this Act, for purchasing, taking, or using any Lands for the Purposes of the Extension of the *Clifton* Branch of the *Lancashire and Yorkshire* Railway as authorized by "The *Lancashire and Yorkshire* Railway Act, 1849."

Parties aggrieved by Extension of Time being granted, may have Compensation for additional Damage.

XXIX. Provided always, That the Justices, Arbitrators, Umpires, or Juries respectively (as the Case may be), who, under the Provisions of "The *Lancashire and Yorkshire* Railway Act, 1849," shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Parties interested in any of the Lands which shall be taken or used for the Purposes of the Extension of the *Clifton* Branch thereby authorized, and the Works connected therewith, or which may be injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time having been authorized as aforesaid.

Certain Railways, Works, and Undertakings to be abandoned.

XXX. That the Company shall abandon and relinquish the several Railways, Works, and Undertakings herein-after mentioned, (that is to say,) so much of the Railway firstly described in and authorized by "The *West Riding Union* Railways Act, 1846," as lies between the *Lancashire and Yorkshire* Railway, in the Township of *Bowling* and Parish of *Bradford*, and the South-easterly Side of the *Leeds and Birstal* Turnpike Road, in the Township of *Wortley* in the Parish of *Leeds*, all in the West Riding of the County of *York*; and also the Railway authorized by the said last-mentioned Act, and therein described as the Second of the Railways thereby authorized, and as commencing by a double Junction with the said Railway firstly therein described at or near *Salter Hebble* in *Skircoat* in the Parish of *Halifax*, and terminating by a Junction with the *Huddersfield and Manchester* and *Huddersfield and Sheffield Junction* Railways, or One of them, at the Town of *Huddersfield* in the Township and Parish of *Huddersfield*, all in the said West Riding; and also the Railway authorized by the said last-mentioned Act, and therein described as the Third of the Railways thereby authorized, and as commencing by a Junction with the said Railway firstly therein described, in the Township of *Wike* and Parish of *Birstal*, and terminating by a Junction with the *Manchester and Leeds* Railway in the Township of *Rastrick* and Parish of *Halifax*, at or near the *Brighouse* Station, all in the said West Riding (except so much and such Part or Parts thereof as were by "The *Manchester and Leeds* Railway Act (No. 1), 1847," authorized to be abandoned); and also the Railway authorized

authorized by the said last-mentioned Act in substitution for the said Portion of Railway thereby authorized to be abandoned, and which is therein described as commencing in a Field, No. 83, in the Township of *Wike* and the Parish of *Birstal*, in the Plan of the said *West Riding Union* Railways, referred to in "The *West Riding Union* Railways Act, 1846," and terminating in a Field, No. 45, on the said Plan, in the Township of *Hartishead-cum-Clifton* and Parish of *Dewsbury*, all in the said West Riding; and also the Extension Railway authorized by "The *Manchester and Leeds* Railway Act (No. 2), 1847," and known as the *Holmfirth* Branch Extension, and in such Act described as commencing by a Junction with the intended *Holmfirth* Branch of the *Huddersfield and Sheffield Junction* Railway in the Township of *Wooldale* and Parish of *Kirkburton*, and terminating near the new Church at *Holmbridge*, in the Township of *Cartworth* and Parish of *Kirkburton*, all in the said West Riding; and all the Powers and Provisions contained in "The *West Riding Union* Railways Act, 1846," "The *Manchester and Leeds* Railway Act (No. 1), 1847," and "The *Manchester and Leeds* Railway Act (No. 2), 1847," respectively, so far as the same in any Manner relate to the Railways or Portions of Railways hereby authorized to be abandoned, shall, from and after the passing of this Act, cease and determine.

Compensation to be made where Contracts have been entered into or Notice given.

XXXI. That in any Case where before the passing of this Act any Contract hath been entered into or Notice given by the Company for purchasing any Lands which they were empowered to purchase for the Purpose of constructing the several Railways, Works, and Undertakings so authorized to be abandoned as aforesaid, the Company shall make to the Owners and Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice; and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof.

Saving Rights of Owners, &c., to Compensation for Entry to survey and take Lands.

XXXII. That the Authority by this Act given for abandoning the Formation of the several Railways, Works, and Undertakings before described, shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid, to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions

for

for that Purpose in "The Lands Clauses Consolidation Act, 1845," contained; but the Company shall not be liable to make Compensation in any of the Cases aforesaid unless the Claim to such Compensation shall have been made within Six Months from the passing of this Act.

Not to affect Agreement with Leeds and Bradford Railway Company, &c.

XXXIII. That the Authority by this Act given for abandoning the Formation of the several Railways, Works, and Undertakings before described, shall not prejudice or affect any Agreement made and entered into between the *Leeds and Bradford* Railway Company and the *West Riding Union* Railways Company, or the Managing Committee or Promoters of the said last-named Company, either alone or in conjunction with the *Manchester and Leeds* Railway Company prior to the passing of "The *West Riding Union* Railways Act, 1846."

Capital, and borrowing Powers reduced.

XXXIV. That the Capital by the "*West Riding Union* Railways Act, 1846," authorized to be raised by Shares for the Purposes of the said Act shall be reduced to the Sum of One million four hundred thousand Pounds, and the Money by the said Act authorized to be raised on Mortgage or Bond shall be reduced to the Sum of Four hundred and sixty-six thousand six hundred and sixty-six Pounds; and the several Shares in the Company called "*West Riding Union* £20 Shares," and being of the Amount of Twenty Pounds *per* Share, shall be reduced to the Amount of Fourteen Pounds *per* Share; and the several Shares in the Company called "Twenty Pounds F. Shares," and being of the Amount of Twenty Pounds each, shall be reduced to the Amount of Sixteen Pounds *per* Share.

Resolutions of 31st of May 1848, and of the 3d July 1850, confirmed.

XXXV. That the several Resolutions of the Company hereinbefore recited, made and passed on the Thirty-first Day of *May* One thousand eight hundred and forty-eight, and on the Third Day of *July* One thousand eight hundred and fifty, respectively as aforesaid, and all Acts, Matters, and Things done in pursuance thereof respectively, be and the same are hereby confirmed, subject nevertheless, as to the said "Twenty Pounds F. Shares," to the Reduction in the Amount thereof made by this Act.

Regulations as to Fifth Shares.

XXXVI. That, as from the Thirty-first Day of *December* One thousand eight hundred and fifty, the Shares of the Company, commonly called "Fifth Shares," shall be reduced, or considered as reduced, from the nominal Amount of Twenty Pounds to the nominal Amount of Nineteen Pounds Ten Shillings, and the Amount of Fourteen Pounds now called up in respect of each of such Shares shall be reduced, or considered as reduced, from that Sum to Thirteen Pounds Ten Shillings (but subject and without Prejudice to the Right of the Company to enforce the Payment of all Calls now due and unpaid);

unpaid); and the further Sum of Six Pounds *per* Share shall be called up and paid by the respective Holders for the Time being of the said Fifth Shares, by the Calls following; namely, a Call of Thirty Shillings *per* Share on the Thirtieth Day of *September* One thousand eight hundred and fifty-two; a further Call of Twenty Shillings *per* Share on the Thirty-first Day of *March* One thousand eight hundred and fifty-three; a further Call of Thirty Shillings *per* Share on the Thirtieth Day of *September* One thousand eight hundred and fifty-three; a further Call of Twenty Shillings *per* Share on the Thirty-first Day of *March* One thousand eight hundred and fifty-four; and a last Call of Twenty Shillings *per* Share on the Thirtieth Day of *September* One thousand eight hundred and fifty-four; and all and singular such Calls, if in arrear, shall bear Interest after the Rate of Five Pounds *per Centum per Annum* from the respective aforesaid Days of Payment respectively, but no Interest shall be payable by any Holder of any such Share in respect of so much of the said Seven Pounds *per* Share as shall for the Time being remain uncalled.

Dividends on Fifth Shares.

XXXVII. That within One Month next after the passing of this Act the several Persons who on the Day of the passing of this Act are the registered Holders of the "Fifth Shares" shall be entitled to receive, and the Directors of the Company are hereby authorized and required to pay to them, a Dividend for the Half Year ending the Thirty-first Day of *December* One thousand eight hundred and fifty, on Ten Pounds *per* Share, at the Rate of One Pound *per Centum*, together with Interest on such Dividend, from the Twenty-fifth Day of *March* One thousand eight hundred and fifty-one, at the Rate of Four Pounds *per Centum per Annum*; and such registered Holders shall in like Manner be entitled to a Dividend for the Half Year ending the Thirtieth Day of *June* One thousand eight hundred and fifty-one, on Eleven Pounds *per* Share, at the Rate of One Pound *per Centum*, together with Interest on such Dividend from the Twenty-fifth Day of *September* One thousand eight hundred and fifty-one, at the like Rate of Four Pounds *per Centum per Annum*; and such registered Holders shall in like Manner be entitled to a Dividend for the Half Year ending the Thirty-first Day of *December* One thousand eight hundred and fifty-one, on Eleven Pounds Fifteen Shillings *per* Share, at the Rate of One Pound Ten Shillings *per Centum*, together with Interest on such last-mentioned Dividend from the Twenty-fifth Day of *March* One thousand eight hundred and fifty-two, at the like Rate of Four Pounds *per Centum per Annum*; but no Dividend for the same Half Year shall be payable on any further or other paid-up Portion of any such Share, nor shall any Deduction be made for any Interest in respect of the uncalled-up Portion of the nominal Amount of such Shares; and as from and after the Thirty-first Day of *December* One thousand eight hundred and fifty-one, the Holders for the Time being of the said "Fifth Shares" so reduced as aforesaid shall from Time

to Time and at all Times be entitled to Dividend rateably with the Holders of the ordinary Stock or Shares of the Company, and according to the Amount for the Time being called up, subject to such Reduction as aforesaid in respect of the said "Fifth Shares," but nevertheless, as to the Amounts called up subsequently to the said last-mentioned Day in respect of the said Shares, from the respective Days on which such Calls became due.

Certain Monies paid on Fifth Shares vested in the Company.

XXXVIII. That the Ten Shillings *per* Share (being the Balance or Residue of the said Fifth Shares after being so reduced as aforesaid) shall be vested in and belong to the Company, and shall be disposed of in such Manner as the Company shall direct.

Shares to be cancelled.

XXXIX. That it shall be lawful for the Directors of the Company at such Time or Times as they shall deem expedient, by Notice sent by Post to the Holders for the Time being of the said Twenty Pounds *West Riding Union* Shares, Twenty Pounds F. Shares, and Twenty Pounds Fifth Shares respectively, so respectively reduced as aforesaid, to call in the present Certificates of such Shares respectively; and the Certificates sent in in pursuance of such Notice or Notices shall be cancelled, and, so soon as conveniently may be thereafter, the Directors shall issue to every such Shareholder One new Certificate of a Fourteen Pounds *West Riding Union* Share, in lieu of every Certificate of a Twenty Pounds *West Riding Union* Share, and One new Certificate of a Sixteen Pounds F. Share in lieu of every Certificate of a Twenty Pounds F. Share, and One new Certificate of a Nineteen Pounds Ten Shillings Share in lieu of every Certificate of a Twenty Pounds Fifth Share respectively so sent in by him, and cancelled as aforesaid; and the Certificates of the said Shares respectively now issued shall, until called in as aforesaid, be deemed to be for all Purposes Certificates of the same Shares respectively of the reduced Amounts aforesaid.

Reduction of Capital not to affect Powers of Company as to enforcing Payment of Calls.

XL. That the Company shall have the same Powers for making and enforcing the Payment of Calls upon or in respect of the Shares respectively so reduced as aforesaid, and for enforcing the Forfeiture of any such Shares in default of Payment of such Calls, as the Company would have had in respect of the same Shares if no such Reduction had been made; and all Actions and Rights of Action now subsisting in respect of Calls already made and in arrear upon the said Shares respectively shall be and remain in force and available as to the Calls so in arrear as if no such Reduction had been made; and the Powers and Provisions of the said recited Acts or any of them, relating to or affecting the said Shares respectively, shall be applicable to the same Shares respectively so reduced as aforesaid, as if such Shares respectively had been originally authorized and created of the respective reduced Amounts aforesaid.

XLI. That

As to Sale of superfluous Lands.

XLI. That the Company shall, within Three Years from the passing of this Act, absolutely sell and dispose of all the Lands which shall have been acquired by them for the Purposes of any of the Railways, Works, and Undertakings which they are by this Act required to abandon and relinquish, and shall also within Ten Years from the passing of this Act absolutely sell and dispose of all the Lands which have been or at any Time shall be acquired by them for any other of their Undertakings, or for any other Purposes of the Company, and which are not or eventually may not be required for any of the Undertakings or Purposes of the Company; and the Company may lawfully hold all such several and respective Lands as aforesaid until the Expiration of the said Period of Ten Years; and the Clauses of "The Lands Clauses Consolidation Act, 1845," with respect to Lands acquired by the Promoters of the Undertaking under the Provisions of that or the Special Act, or any Act incorporated therewith, but which shall not be required for the Purposes thereof, shall be applicable to the Lands so required to be sold and disposed of by the Company as aforesaid.

Saving Rights of Pre-emption of the Earl of Scarbrough.

XLII. Provided always, That nothing in this Act contained shall prejudice or affect the Rights of Pre-emption of the Right Honourable the Earl of *Scarbrough*, his Heirs or Assigns, of or to any Lands purchased or agreed to be purchased of him by the said Company, or any Parts of any such Lands, and to which he is entitled under and by virtue of "The *Manchester and Leeds* Railway Act, 1836," or under or by virtue of any of the several Acts of Parliament in this Act recited or referred to, or of "The Lands Clauses Consolidation Act, 1845," or under or by virtue of any Covenant or Agreement between him the said Earl, or any Person on his Behalf, and the said Company, or any Person on their Behalf.

Monies authorized to be borrowed may be raised on Mortgage or Bond or on perpetual irredeemable Annuities.

XLIII. That it shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present in Person or by Proxy at any General Meeting of the Company, when due Notice for that Purpose shall have been given, to raise all or any of the Monies which the Company shall for the Time being be authorized to raise by Mortgage or Bond by the Creation and Issue of, and to authorize the Conversion of all or any Part of the existing Mortgage or Bond Debts for the Time being owing by the Company into perpetual irredeemable Annuities at a Rate not exceeding Four Pounds *per Centum per Annum*, to be created and issued at such Times and in such Manner, and subject to such Conditions, and with such Rights and Privileges (not inconsistent with this Act), and to be payable at such Times as the Company, with such Consent as aforesaid, shall from Time to Time resolve and determine: Provided that as to each particular Mortgage or Bond no

such

such Conversion shall be made without the Consent in Writing of the Holder of such Mortgage or Bond to such Conversion.

Power to borrow to cease to Extent to which Money raised in Annuity.

XLIV. That when and as any Money shall have been raised by the Company upon perpetual irredeemable Annuities, the Powers of the Company to raise Money on Mortgage or Bond, or to continue the same on Mortgage or Bond, shall be proportionately reduced and extinguished.

Irredeemable Annuities to have Preference over Dividends.

XLV. That the said Annuities shall be a Charge upon the Undertaking, Railway, and Works of the Company, and the Tolls arising therefrom, and upon the Lands and Tenements upon which the same are constructed, but shall be distributable, transmissible, and transferable as, and in other respects have, the Incidents of Personal Estate; and the same and all Arrears thereof shall be payable to the several Parties entitled thereto in preference to any Dividends payable to the Share or Stock Holders of the Company; but, nevertheless, as between the several Parties entitled thereto, or between such Parties and the Mortgagees or Bondholders of the Company, without any Preference or Priority amongst themselves; and the Provisions of the "Companies Clauses Consolidation Act, 1845," with respect to the Recovery of Interest or Arrears of Interest due on Mortgage or Bond, shall be applicable so far as may be to the Recovery of such Annuities when in arrear, and for the Purpose of appointing a Receiver each Annuitant shall be deemed to be a Creditor of the Company for a Sum equal to Twenty-five Times the Amount of such Annuities to which he is for the Time being entitled, or such Annuities, when in arrear, may be recovered by Action or Suit in any Court having competent Jurisdiction.

Transfer of Annuities.

XLVI. That the several Holders of such Annuities may transfer the Annuities for the Time being held by them, or any Part thereof, in the same Manner and subject to the same Regulations and Provisions, *mutatis mutandis*, as or according to which the Capital Stock of the Company, or any Interest therein, may be transferred under the Provisions of the Act or Acts of the Company applicable thereto; and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer; and for every such Entry they may demand any Sum not exceeding Two Shillings and Sixpence.

Register of Holders of Annuities to be kept.

XLVII. That the Company shall from Time to Time cause the Names of the several Parties who may be entitled to any such Annuities as aforesaid, with the Amount thereof to which they are so respectively entitled, to be entered in a Book to be kept for that Purpose, to be called "The Register of Holders of Perpetual Annuities,"

nuities," and such Book shall be accessible at all seasonable Times to every Mortgagee, Bondholder, Annuitant, or Share or Stock Holder of the Company.

Existing Mortgages to have Priority.

XLVIII. That nothing in this Act contained shall affect the existing Priorities of the several Mortgages or Bonds granted by the Company previous to the passing of this Act, but that all such Mortgages and Bonds shall, during the Continuance thereof, be entitled to the same Priorities, Rights, and Privileges as they would have been entitled to if this Act had not been passed.

Present borrowing Powers of the Company not to be affected.

XLIX. Provided also, That nothing herein contained shall be construed as lessening or affecting the present Rights of the Company for or in respect of the borrowing on Mortgage or Bond of the several Sums of Money which they are by the several recited Acts or any of them, or by this Act, now authorized to borrow, subject to the Reductions in this Act provided: Provided, that it shall not be lawful for the Company at any Time to borrow and raise on Mortgage or Bond, or by perpetual Annuities as aforesaid, any Sum or Sums of Money exceeding in the whole One Third of the Stock and Share Capital for the Time being of the Company.

Restrictions on borrowing Powers.

Confirming Application of certain Monies.

L. That all Monies which at any Time heretofore have been raised under the Authority of the said recited Acts or any of them, and applied by the Company for the Purposes of any of the Undertakings now forming Part of the *Lancashire and Yorkshire* Railway, or for any other Works or Purposes of the Company, shall, provided such Purposes were Purposes to which Capital of the Company (or of any of the Companies whose Undertakings respectively are now vested in the Company) might lawfully be applied, be deemed to have been lawfully so applied, although the Monies so applied or some Part thereof were raised or authorized to be raised for other and special Purposes, anything in the recited Acts or any of them to the contrary notwithstanding.

Application of Monies to Purchase of certain Shares confirmed.

LI. That the Application of the Monies of the Company to the Purchase of the several Shares and Stock specified in the Schedules (A.) and (B.) to this Act, and the Payment of Calls thereon (whether past or future), are hereby authorized and confirmed.

And to dispose of Shares in other Companies.

LII. That it shall be lawful for the Company, with the Consent of Three Fifths of the Votes of the Shareholders present in Person or by Proxy at any General Meeting of the Company, when due Notice for that Purpose shall have been given, to sell or dispose of, for such Prices, on such Terms, and at such Times as the Directors may think fit, the said Shares and Stock specified in the said Schedule (B.) or any of them; and the Proceeds of such Sale and Disposal after satisfying the Charges (if any) on the said Shares and Stock, shall

shall become and be Part of the Capital of the Company, and applicable to the Purposes of the Company; and meanwhile and until such Sale and Disposal, the said Shares or Stock shall be and remain the Property of the Company, subject to such Charges (if any); and a Transfer duly executed under the Seal of the Company, or by the Person or Persons respectively in whose Name or Names the said Shares or Stock shall, at the Time of such Sale or Disposal, be registered, shall be a sufficient Title to the Transferees thereof respectively.

Shares held by Company in their own Undertaking may be merged.

LIII. That the Shares specified in the Schedules (A.) and (C.) to this Act shall absolutely merge in the Capital of the Company; and the Provisions of "The *Lancashire and Yorkshire* Railway Act, 1849," authorizing the Company to issue new Shares in lieu of Shares merged under the Provisions of that Act, shall apply to the Shares so merged as aforesaid under the Provisions of this Act.

Interest on Calls not to be paid out of Capital.

LIV. That the Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay to any Shareholder Interest or Dividend on the Amount of Calls made in respect of the Shares held by him: Provided always, that the Company may pay to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made, as shall be in conformity with the Provisions in that Behalf of "The Companies Clauses Consolidation Act, 1845."

Deposits not to be paid out of Capital.

LV. That the Company shall not, out of any Money by this Act or any other Act relating to the Company authorized to be raised, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any Railway or execute any other Work or Undertaking.

Railway and Company to be subject to Provisions of certain General Acts.

LVI. That this Act or anything herein contained shall not exempt the Railway or the Company from the Provisions of the Acts of the First and Second Years of the Queen, Chapter Ninety-eight; of the Fifth and Sixth Years of the Queen, Chapter Fifty-five; of the Seventh and Eighth Years of the Queen, Chapter Eighty-five; of the Ninth and Tenth Years of the Queen, Chapter Fifty-seven; and of the Fourteenth and Fifteenth Years of the Queen, Chapter Sixty-four; but such Provisions shall be in force in respect to the Railway and the Company, so far as the same are applicable thereto.

Railway not exempt from Provisions of future General Acts.

LVII. That this Act or anything herein contained shall not exempt the Railway from the Provisions of any General Act relating to the recited Acts or to this Act, or of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies,

Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by the recited Acts.

LVIII. That all the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company. Expenses of Act.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

707 Liverpool and Bury £50 Shares, numbered 26,552 to 27,258.

2,282 Manchester and Leeds £32 Shares, or Thirds Extension Stock, numbered 670 to 739; 1,347 to 1,351; 2,056 to 2,095; 3,234 to 3,308; 4,212 to 4,261; 15,116; 4,302 to 4,321; 4,701 to 4,703; 46,162; 5,901 to 5,905; 6,953 to 6,957; 9,893 to 9,917; 9,929 to 9,933; 11,391 to 11,395; 15,026 to 15,042; 18,718 to 18,737; 19,740 to 19,764; 20,755 to 20,774; 21,210 to 21,219; 22,202 to 22,221; 23,966 to 24,015; 24,934 to 24,958; 26,387 to 26,406; 26,586 to 26,591; 26,878 to 26,895; 27,031 to 27,045; 27,146 to 27,148; 27,155 to 27,159; 28,731 to 28,740; 28,767 to 28,826; 29,302 to 29,331; 29,402 to 29,415; 29,602 to 29,611; 30,420; 30,421; 31,574 to 31,580; 33,066 to 33,115; 35,936 to 35,960; 36,273 to 36,277; 36,408 to 36,414; 37,577 to 37,586; 40,750 to 40,753; 40,759 to 40,765; 40,895 to 40,904; 41,205 to 41,214; 41,352 to 41,717; 41,992 to 42,010; 42,464 to 42,483; 43,195 to 43,204; 45,384 to 45,388; 46,618 to 46,627; 46,978 to 46,987; 47,465 to 47,474; 47,514 to 47,523; 47,526 to 47,600; 47,611; 47,612; 47,785; 47,786; 37,589 to 37,603; 39,502 to 40,344; 40,558 to 40,597; 40,618 to 40,637.

60 Huddersfield and Sheffield £50 Shares, numbered 12,364 to 12,383; 20,475 to 20,494; 22,969 to 22,988.

5 West Riding Union £20 Shares, numbered 38,721 to 38,725.

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SCHEDULE (B.)

500 Huddersfield and Manchester Railway £30 Shares, now converted into 10,500 Pounds Stock in the London and North-western Railway Company.

150 Oldham Alliance Railway £20 Shares, numbered 2,298 to 2,347; 12,704 to 12,753; 22,013 to 22,062.

6,448 Manchester and Southport Railway £20 Shares, numbered 2,389 to 4,741; 123 to 156; 450 to 2,292; 4,764 to 4,846; 4,854 to 6,351; 35,249 to 35,505; 36,044 to 36,147; 36,210 to 36,409; 35,678 to 35,753.

SCHEDULE (C.)

7,021 Manchester and Leeds £20 or Fifth Shares.

657 Manchester and Leeds £32 Shares, or Thirds Extension Stock.

26,096 Manchester and Leeds Guaranteed £6 per Centum £10 Shares.

965 West Riding Union £20 Shares.

221 Liverpool and Bury £50 Shares.

20 Wakefield, Pontefract, and Goole £25 Shares.

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