CHAPTER cli.

An Act for conferring further powers on the Manchester, Sheffield, and Lincolnshire Railway Company and on other companies in connexion with that Company and on the Sheffield and Midland Railway Companies Committee; and for other purposes. [21st July 1879.]

A.D. 1879.

WHEREAS it is expedient to empower the Manchester, Sheffield, and Lincolnshire Railway Company (herein-after called the Company) to stop up part of a certain footpath or occupation road in the parish of Silkstone, and to stop up Andrew Street in the parish of Sheffield, all in the west riding of the county of York:

And whereas it is expedient that the Company be authorised to acquire the lands herein-after in that behalf mentioned for the purposes of the works authorised by this Act, and for the general purposes of their undertaking:

And whereas it is expedient that the Oldham, Ashton-under-Lyne, and Guide Bridge Junction Railway Company (herein-after called the Oldham Company) be authorised to acquire the lands herein-after in that behalf mentioned for the general purposes of their undertaking:

And whereas it is expedient that the Sheffield and Midland Railway Companies Committee (herein-after called the Committee) be authorised to acquire the lands herein-after in that behalf mentioned for the general purposes of their undertaking:

And whereas the Company and the London and North-western Railway Company (herein-after called the North-western Company) together form the corporation of the Manchester South Junction and Altrincham Railway Company (herein-after called the Altrincham Company), and it is expedient that the Altrincham Company be authorised to acquire the lands herein-after in that behalf mentioned for the general purposes of their undertaking:

And whereas it is expedient that the Company should be empowered to raise further moneys for the purpose of the works and

A.D. 1879.

the other purposes by this Act authorised, and for the general purposes of their undertaking, and to contribute further moneys towards the undertaking vested in the Committee:

And whereas it is expedient to extinguish the power now vested in the Company to call up the unpaid portion of their six per cent. perpetual ten pound shares, and to enable them to increase their five per cent. guaranteed stock to an amount equal to the unpaid portion of those shares, and to convert and consolidate into five per cent. guaranteed stock the portion of those shares now existing, and the stock to be created and issued in lieu of the unpaid portion thereof in manner herein-after appearing:

And whereas it is expedient to empower the Company to commute for a fixed payment any dividend (over and above the fixed dividend of four and a half per cent.) to which the holders of the stock raised by the Company under the powers of the Garston and Liverpool Railway Act, 1861, are now entitled upon the contingency on which that stock was issued, and to consolidate that stock with one of the existing preference stocks of the Company:

24 & 25 Vict. c. xxxv.

And whereas it is expedient that the several debenture stocks of the Company should be consolidated as by this Act provided:

And whereas it is expedient that the time limited by the Manchester, Sheffield, and Lincolnshire Railway Act, 1874, for the completion of the railways and works, except Railway No. 5 by that Act authorised, should be extended:

37 & 38 Vict. c. cxxxii.

And whereas it is expedient that the time limited by the Manchester, Sheffield, and Lincolnshire Railway Act, 1876, for the compulsory purchase of certain lands in the parish of Sheffield, in the west riding of the county of York, should be extended:

39 & 40 Vict. c. clxxxi.

And whereas it is expedient that the time limited by the Manchester, Sheffield, and Lincolnshire Railway Act, 1877, for the compulsory purchase of lands for Railway No. 10 authorised by the Manchester, Sheffield, and Lincolnshire Railway Act, 1874, should be further extended:

40 & 41 Vict. c. xlvi.

And whereas it is expedient that the time limited by the Wigan Junction Railways Act, 1874, for the compulsory purchase of certain lands, or an easement in or right of using the same required for making the works by which Railway No. 4 by that Act authorised is to form a junction with the Lancashire Union Railway should be revived and extended:

37 & 38 Vict. c. cxvii.

And whereas it is expedient to empower the Company, the North-western Company, and the Oldham Company, or any two of those Companies, to enter into agreements for the division and exchange

of certain lands in the parish of Prestwich-cum-Oldham, in the county of Lancaster, in manner herein-after appearing: A.D. 1879.

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

And whereas plans of the lands by this Act authorised to be taken, and books of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of those lands, have been deposited with the clerk of the peace for the west riding of the county of York, and the respective clerks of the peace for the counties of Lancaster and Chester, and which said plans, sections, and books of reference are in this Act referred to as the deposited plans, sections, and books of reference respectively:

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; (that is to say,)

Short title.

1. This Act may be cited as the Manchester, Sheffield, and Lincolnshire Railway Act, 1879.

Incorporation of general Acts.

2. The following enactments (as far as the same respectively are applicable for the purpose of and not varied by or inconsistent with this Act) are hereby incorporated with this Act; (namely,)

The Lands Clauses Consolidation Acts, 1845, 1860, and 1869:

The provisions of the Companies Clauses Consolidation Act, 1845, with respect to the matters following; (that is to say,) the distribution of the capital of the Company into shares, the transfer or transmission of shares, the payment of subscriptions and the means of enforcing the payment of calls, the forfeiture of shares for nonpayment of calls, the remedies of creditors of the Company against the shareholders, the borrowing of money by the Company on mortgage or bond, the conversion of the borrowed money into capital, the consolidation of the shares into stock, the general meetings of the Company and the exercise of the right of voting by the shareholders, the making of dividends, the giving of notices, and the provision to be made for affording access to the special Act:

8 & 9 Vict. c. 18.

23 & 24 Vict. c. 106.

32 & 33 Vict. c. 18.

8 & 9 Vict. c. 16.

Part II. of the Railways Clauses Act, 1863, relating to extension of time:

26 & 27 Vict. c. 92.

Parts I., II., and III. of the Companies Clauses Act, 1863, relating respectively to cancellation and surrender of shares, additional capital, and debenture stock.

26 & 27 Vict. c. 118.

A.D. 1879.

Interpretation of terms.

3. In this Act terms to which meanings are assigned in enactments incorporated with this Act or which have therein special meanings have the same respective meanings, and in this Act and for the purposes of this Act in any enactment incorporated with this Act the term "court of competent jurisdiction" shall have effect as if the debt or demand with respect to which the term is used were a common simple contract debt, and not a debt or demand created by statute; and the term "superior court" shall include any court of competent jurisdiction.

Power to stop up footpath and street.

4. Subject to the provisions of this Act, the Company may stop up and discontinue as a public footpath or road so much of a public footpath or occupation road in the parish of Silkstone, in the west riding of the county of York, leading from Summer Lane, in that parish, to Gawber, in the parish of Darton, in the same riding and county, as crosses the Penistone and Barnsley Branch Railway of the Company on a level adjoining the west end of the Summer Lane Station of the Company on that branch railway: Provided always, that the Company shall within six months after the passing of this Act, and before interfering with the said footpath or occupation road, and in substitution for the portion of the same to be stopped up, construct and complete to the reasonable satisfaction of the urban sanitary authority of the borough of Barnsley, and thereafter maintain, a foot bridge of not less than seven feet clear width over their line, as near as may be to the said level crossing, for the free use of the public. And may, when and as soon as the surrounding property has been purchased and taken by them, permanently stop up the whole of that portion of the street and highway called Andrew Street in the parish of Sheffield, in the west riding of the county of York, which lies to the south-east of the point where that street joins Johnson Street.

Vesting in Company site of portion of Andrew Street when stopped up.

5. On the Company stopping up in pursuance of this Act the portion of Andrew Street aforesaid, all rights of way and other rights and easements over such portion as is so stopped up shall be by virtue of this Act extinguished, and the site thereof shall vest absolutely in the Company so far as the same is bounded on both sides by land of the Company.

Power for Company to acquire additional lands.

6. Subject to the provisions of this Act, the Company may enter on, take, and use for the general purposes of their undertaking all or any of the following lands and buildings delineated on the deposited plans and described in the deposited books of reference; (that is to say,)

Certain lands, houses, and buildings situate in the parish of Penistone, in the west riding of the county of York, lying and being at and adjoining the point of junction of the Company's Penistone and Barnsley Branch Railway with their main line, and between the south side of the said Penistone and Barnsley Branch Railway and the north side of their said main line:

Certain other lands, houses, and buildings situate in the parish of Penistone aforesaid, adjoining the northerly side of the Company's main line of railway, and abutting at the west end thereof on a certain highway called Poor House Lane:

Certain other lands, houses, and buildings situate in the parish of Penistone aforesaid, adjoining the southerly side of the Company's main line, and abutting at the west end thereof on land of the Company near the Penistone Station on the railway of the Company, and extending from thence parallel to the main line of the Company for a distance of about sixty-seven chains, measuring in an easterly direction:

Certain other lands, houses, and buildings situate in the parish of Penistone aforesaid, adjoining the northerly side of the Company's main line, and abutting at the east end thereof on the road or highway leading from Penistone to Barnsley:

A certain other triangular piece of land in the parish of Penistone aforesaid, adjoining the southerly side of the Company's main line and near to the signal-box at the east end of Penistone Station of the railway of the Company:

Certain other lands, houses, and buildings situate in the parish of Silkstone, in the west riding of the county of York, adjoining and lying on the north-west side of the Penistone and Barnsley branch of the railway of the Company at or near to the Silkstone Station on that branch railway:

Certain other lands, houses, and buildings situate in the parish of Sheffield, in the west riding of the county of York, adjoining and abutting upon the south side of the main line of railway of the Company, bounded on the south-east side thereof by Johnson Street, on the south-west side thereof by Stanley Lane, and on the north-west side thereof by Spitalfields.

Power to Oldham Company to acquire additional lands.

7. Subject to the provisions of this Act, the Oldham Company may enter on, take, and use for the general purposes of their undertaking all or any of the following lands and buildings delineated on the deposited plans and described in the deposited books of reference; (that is to say,)

Certain lands situate in the parish of Prestwich-cum-Oldham, in the county of Lancaster, adjoining on the west side the

A.D. 1879.

Oldham Company's main line of railway, and between Sheepwashes Lane and Goddard Street in Oldham aforesaid:

Certain other lands, houses, and buildings situate in the parish of Prestwich-cum-Oldham aforesaid, adjoining lands belonging to the London and North-western Railway Company near their goods yard and premises at Glodwick Road in Oldham aforesaid:

Certain other lands situate in the parish of Prestwich-cum-Oldham aforesaid, adjoining lands authorised to be acquired by the London and North-western Railway Company, by the London and North-western (New Lines and Additional Powers) Act, 1876.

39 & 40 Vict. c. clxxx.

Power for Committee to acquire additional lands.

8. Subject to the provisions of this Act, the Committee may enter on, take, and use for the general purposes of their undertaking all or any of the following lands and buildings delineated on the deposited plans and described in the deposited books of reference; (that is to say,)

Certain lands situate in the township of Ditton, in the parish of Prescot, in the county of Lancaster, lying on and adjoining to the southerly side of the Liverpool Extension Railway belonging to the Cheshire Lines Committee between the boundary of the Hough Green Station on that railway and the junction with that railway of the West Widnes Railway now in the course of construction.

Power to Altrincham Company to acquire additional lands.

9. Subject to the provisions of this Act, the Altrincham Company may enter on, take, and use for the general purposes of their undertaking all or any of the following lands and buildings delineated on the deposited plans and described in the deposited books of reference; (that is to say,)

Certain lands, houses, and buildings situate in the township of Altrincham, in the parish of Bowdon, in the county of Chester, and lying on the easterly side of certain roads or streets called Railway Street and George Street, at the junction of those streets and opposite to the Woolpack Inn.

Period for compulsory purchase of lands.

10. The powers by this Act granted to any company or to the Committee for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Power to take easements, &c. by agreement.

11. Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant to

any company before mentioned or to the Committee any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or affecting any such lands, and the provisions of the said Act with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

Power for Companies and Committee to apply authorised capital.

12. The Company, the Oldham Company, the Committee, and the Altrincham Company respectively, may from time to time apply towards the execution of any of the purposes of this Act, which may in accordance with the provisions of this Act be carried into effect by them respectively, any money which they respectively are for the time being independently of this Act authorised to raise, and which is not required for the purposes for which it was authorised to be raised.

Power for Company to apply capital to undertaking of Committee.

13. The Company may, in addition to any money they are already authorised to apply towards the undertaking of the Committee, from time to time apply for the general purposes of that undertaking any money not exceeding one hundred thousand pounds which the Company are for the time being authorised to raise, and which is not required for the purposes for which it was authorised.

Power for Company to raise additional share capital.

14. In addition to such share capital as the Company are for the time being independently of this Act authorised to raise, they may from time to time by virtue, and for the purposes of this Act, and for the general purposes of their undertaking, raise such sums as they think requisite, not exceeding in the whole the sum of five hundred thousand pounds.

Mode of raising additional share capital.

15. The additional share capital by this Act authorised to be raised by the Company shall be raised by the creation and issue of new shares or new stock, ordinary or preference, or partly ordinary and partly preference as the Company from time to time think fit.

Shares not to issue until one fifth paid up.

16. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one-fifth part of the amount of such share shall have been paid up in respect thereof.

New shares to be subject to same pro-

17. Except as by this Act is otherwise provided, the additional captal in shares or stock to be created by the Company under this

A.D. 1879.

vision as existing shares.

Act, and the shares therein, and the holders of those shares and stock respectively, shall be entitled and subject to the same powers, rights, privileges, and liabilities in all respects as if that new capital were part of the ordinary capital of the Company existing at the passing of this Act, and those shares or stock were shares or stock in that ordinary capital.

Receipt in case of persons not sui juris.

18. If any money is payable to a holder of shares or stock in the Company being a minor, idiot, or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to borrow on mortgage.

19. In addition to any sum which the Company are for the time being independently of this Act authorised to raise by mortgage they may from time to time borrow on mortgage any sums not exceeding in the whole the sum of one hundred and sixty-six thousand pounds, but no part thereof shall be borrowed until the whole capital of five hundred thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that shares for the whole of such capital have been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued and accepted, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also, if the said capital is raised by means of shares, that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same. Upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid in reference to such capital has been given, which certificate shall be sufficient evidence thereof.

Priority of existing mortgages.

20. All mortgages granted by the Company before the passing of this Act shall during their continuance, but subject to the provisions of the Acts under which such mortgages were respectively granted, have priority over any mortgage granted by virtue of this

Act, and nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company. A.D. 1879.

Repealing provisions of former Acts with respect to appointment of receiver.

21. Every provision in any Act passed before the present session of Parliament whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a receiver for enforcing payment by the Company of arrears of interest or principal, or principal and interest, shall be and the same is hereby repealed, but without prejudice to any appointment which may have been made, or to the continuance of any proceedings which may have been commenced, prior to the passing of this Act under any such provision.

Appointment of receiver.

22. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver; in order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

Power to create and issue debenture stock.

23. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything herein contained, the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application of money.

24. All money raised by the Company under this Act by shares or stock, or by borrowing, or by debenture stock, shall be applied to the purposes of this Act, and the general purposes of the Company.

Increase of five per cent. guaranteed stock in lieu of unpaid portion of six per cent. perpetual ten pound shares.

25. From and after the passing of this Act, the power now vested in the Company to call up the unpaid portion of their six per cent. perpetual ten pound shares shall cease, and in lieu of the amount so unpaid the Company may increase their five per cent. guaranteed stock, and may create and issue a further amount of that stock equal to the amount of the unpaid portion of the six per cent. perpetual ten pound shares.

Conversion and consolidation of six per cent. per-

26. And whereas the five per cent. guaranteed stock of the Company ranks pari passu in order of priority with and has the same rights and privileges as the said six per cent. perpetual ten

A.D. 1879.

pound shares: Be it enacted, that the Company may, with the approval of at least three fourths of the votes of the proprietors of the six per cent. perpetual ten pound shares present in person or by proxy at a meeting of those proprietors specially convened for the purpose, issue to the proprietors of those shares such an amount of the said five per cent. guaranteed stock as will give to them the same amount of dividend per annum as they now receive on the six per cent. perpetual ten pound shares, such stock to be received and held by them in all respects in lieu of and substitution for the said shares which shall be thereupon cancelled: Provided always, that at any meeting in pursuance of this section the proprietors aforesaid shall have the same right and power of voting in every respect as if those meetings were meetings of the Company.

petual ten pound shares into five per cent. guaranteed stock.

Commuting contingent dividend on Garston and Liverpool stock, and consolidating that stock with five per cent. perpetual preference stock.

27. Whereas in pursuance of and in conformity with the Garston and Liverpool Railway Act, 1861, the Company created and issued certain shares called the "Garston and Liverpool Extension Shares" for raising the capital of two hundred and twenty-five thousand pounds authorised to be raised by that Act, and those shares were created and issued upon the following terms; viz., the holders of the shares to be entitled to the net proceeds of the Company's proportion of traffic passing over the line between Garston and Liverpool up to but not exceeding a sum equivalent to a dividend after the rate of seven and a half per cent. per annum, and in case the net proceeds of that traffic should not be sufficient to secure a dividend of four and a half per cent. per annum the difference between such proceeds and such dividend of four and a half per cent. per annum to be made up out of the balance remaining after the payment of the dividends upon the existing preference stock and shares of the Company: And whereas the "Garston and Liverpool Extension Shares" have been converted into stock, which stock is called the Garston and Liverpool stock: And whereas the holders of that stock have never received or become entitled to receive any other or greater dividend than four and a half per cent. per annum: And whereas it would be for the benefit of the holders of the Garston and Liverpool stock if the dividend on that stock were commuted for a fixed annual payment in perpetuity of five per cent., and if that stock were consolidated with and formed part of the five per cent. perpetual preference stock of the Company: Be it therefore enacted, that the Company may, with the consent in writing of three fourths in value of the holders of the Garston and Liverpool stock, convert and consolidate the Garston and Liverpool stock into five per cent. perpetual preference stock of the Company, and for that purpose may increase the

amount of the last-mentioned stock to the sum necessary to provide for such conversion and consolidation, and thereupon the said Garston and Liverpool stock, with all contingencies as to dividends, shall be extinguished, and the five per cent. perpetual preference stock substituted for the stock so converted and consolidated shall confer on the holders thereof all the rights, priorities, and privileges attached to the five per cent. perpetual preference stock.

As to exchange of certificates.

28. From and after any such substitution, conversion, or consolidation as aforesaid, the Company shall, in exchange for the existing certificates of shares or stock, issue to the respective proprietors thereof, free of any charge in respect of the same, other certificates representing the substituted or consolidated stock: Provided always, that until the issue of such new certificates the existing certificates of shares and stock shall have and possess the same rights and advantages as if they were certificates issued under the provisions of this enactment, but after the issue of such new certificates the existing certificates shall be cancelled.

Substituted stocks to be held on the same trusts.

29. The substituted or consolidated stock shall remain and be vested in the person or persons to whom it is issued upon the same trusts and subject to the same powers, provisoes, declarations, agreements, charges, liens, and incumbrances as at the time of the issue thereof affect the shares or stock in lieu of which the substituted or consolidated stock is issued, and so as to give effect to and not revoke any testamentary disposition of or affecting the same, and trustees, executors, or administrators may accept such substituted or consolidated stock in lieu of the shares or stock held by them in the Company, and retain, dispose of, or otherwise deal with the same as fully and freely in all respects as they might have retained, disposed of, or otherwise dealt with the shares or stock for which it was substituted.

Consolidation of debenture stocks.

30. Whereas the Company have created and issued debenture stock of different classes and bearing different rates of interest or dividend, of which a sum exceeding five millions and a half bears interest at the rate of four and a half per cent., three hundred thousand pounds at the rate of five per cent., and seventy-five thousand pounds at the rate of four per cent.; and it would be convenient to the holders thereof and to the Company if those different classes of debenture stock were consolidated into one stock bearing an uniform rate of interest of four and a half per cent. per annum: Be it therefore enacted, that the Company may from time to time, with the consent of any holder or holders of their four per cent. debenture stock and their five per cent. debenture stock

A.D. 1879.

respectively, convert the amount of such stocks respectively belonging to such holder or holders into four and a half per cent. debenture stock, and may create and register in the name of each such holder or holders as aforesaid such nominal amount of four and a half per cent. debenture stock as will yield an amount of interest or dividend thereon equal to the amount of interest or dividend yielded by the existing debenture stock, in lieu of which the four and a half per cent. debenture stock is so issued, and they may create and issue four and a half per cent. debenture stock accordingly; and they shall thereupon issue to such holder or holders respectively, free of charge for so doing, a certificate for and representing such an amount of four and a half per cent. debenture stock as such holder or holders is or are respectively entitled to, and when such new certificates are issued the existing certificates shall be deemed to be cancelled.

Substituted debenture stock to be held on the same trusts.

31. The four and a half per cent. debenture stock issued under the foregoing provisions shall remain and be vested in the person or persons to whom it is issued upon the same trusts and subject to the same powers, provisoes, declarations, agreements, charges, liabilities, and incumbrances as at the time of the issue thereof affect the debenture stock in substitution for which the four and a half per cent. debenture stock is issued, and so as to give effect to and not revoke any testamentary disposition of or affecting the same.

Trustees, &c. may accept substituted debenture stock.

32. Trustees, executors, and administrators may accept any four and a half per cent. debenture stock created and issued under the authority of this Act in substitution for any other debenture stock, and may hold, dispose of, or otherwise deal with the same in all respects as they might have held, disposed of, or otherwise dealt with the stock for which the same was substituted.

Extension of time for construction of certain works authorised by 37 & 38 Vict. c. cxxxii.

33. The time limited by the Manchester, Sheffield, and Lincolnshire Railway Act, 1874, for the construction of the works, save and except Railway No. 5 authorised by that Act, is hereby extended for a period of three years from the sixteenth day of July one thousand eight hundred and seventy-nine.

Extension of time for purchase of certain lands under 39 & 40 Vict. c. clxxxi.

34. The powers granted to the Company by the Manchester, Sheffield, and Lincolnshire Railway Act, 1876, for the compulsory purchase of lands for the purposes of that Act, so far as they relate to or affect certain lands and buildings situate in the parish of Sheffield, in the west riding of the county of York, adjoining the north side of the main line of railway of the Company, bounded on the east end thereof by Douglas Road, and on the west end thereof

by a certain bridge carrying the Park Wood Road over the same railway, and which lands and buildings are delineated on the deposited plans and described in the deposited books of reference referred to in that Act, are hereby extended and may be exercised by the Company for and during a period of two years from the twenty-fourth day of July one thousand eight hundred and seventy-nine, and on the expiration of that period those powers shall cease.

Extension of time for purchase of lands for Railway No. 10 under 37 & 38 Vict. c. cxxxii.

35. The powers granted to the Company by the Manchester, Sheffield, and Lincolnshire Railway Act, 1874, for the compulsory purchase of lands for the purposes of Railway No. 10 by that Act authorised are hereby further extended and may be exercised by the Company for and during the period of two years from the sixteenth day of July one thousand eight hundred and seventy-nine, and on the expiration of that period those powers shall cease.

Extension of time for purchase of certain lands under 37 & 38 Vict. c. cxvii.

36. The powers granted to the Wigan Junction Railways Company by the Wigan Junction Railways Act, 1874, for the compulsory purchase of lands, or an easement in or right of using the same for the purposes of that Act, so far as they relate to or affect the lands and buildings in the township of Hindley, in the parish of Wigan, in the county of Lancaster, respectively distinguished on the deposited plans and in the deposited book of reference referred to in that Act by the following numbers; viz., Nos. 79 to 84 inclusive, Nos. 88 to 91 inclusive, 91c and 92c, are hereby revived and extended and may be exercised for and during a period of two years from the sixteenth day of July one thousand eight hundred and seventy-nine, and on the expiration of that period those powers shall cease.

Protecting London and North-western Railway Company.

37. Notwithstanding anything contained in the Wigan Junction Railways Act, 1874 (in this section called the Act of 1874), or in this Act, the following provisions shall have effect; (that is to say,)

(1.) The junction of the Railway No. 4 authorised by the Act of 1874 with the Lancashire Union Railway shall be made according to the plan for the same signed by Francis Stevenson, the engineer of the London and North-western Railway Company (in this section designated the North-western Company), who, under the authority of Parliament, work the railways of the Lancashire Union Railways Company, and by Charles Sacré, the engineer of the Company:

(2.) The provisions contained in section twenty-two of the Act of 1874 with respect to the said Railway No. 4, and also to Railway No. 3 in the same Act, shall be read and take

A.D. 1879.

effect as if they were inserted in and enacted in this Act, save where the same are expressly varied by or are inconsistent with the enactments of this section:

(3.) The North-western Company may, with their engines, carriages, waggons, and trucks, and their officers and servants, run over and use free of toll or charge the said Railway No. 4, and the works, lines, sidings, and junctions for the time being connected therewith, so as to give to that company full and complete access to and from the Strangeways Hall Colliery, and any lines and sidings for the time being belonging to the owners of that colliery or which the North-western Company may at any time lay down and construct in connexion therewith; and in the event of such access being from any cause discontinued, that company may, for preserving the same, make and maintain all necessary junctions with the said Railway No. 4, and its lines and sidings, but subject to the observance of such reasonable byelaws, rules, and regulations of the Company as may for the time being be in force, and be applicable to the use of such railway and the conduct of the traffic thereon:

(4.) The junction of Railway No. 3 authorised by the Act of 1874 with the Lancashire Union Railway shall be made at the point and in the manner shown upon a plan agreed upon between the Wigan Company and the North-western Company, and signed by the said Francis Stevenson and Charles Sacré, and the North-western Company shall permit such junction to be made in manner aforesaid: Provided that that junction is made and completed fit for traffic within three years from the passing of this Act.

Power for Company, North-western Company, and Oldham Company to divide and exchange lands.

38. The Company, the North-western Company, and the Oldham Company (herein-after referred to as the three Companies), or any two of them, may from time to time enter into contracts or arrangements with reference to the division, exchange, acquisition, or user by the three Companies, any or either of them, of any of the lands and buildings in the parish of Prestwich-cum-Oldham, in the county of Lancaster, now belonging to them, or to any or either of them, or which they, or any or either of them, are by this Act or otherwise authorised to acquire that may be necessary or desirable for the better and more conveniently maintaining, working, and using the railways and works of the three Companies, any or either of them; and with respect to all matters incidental to such division, exchange, acquisition, or user, and every such contract and arrange-

ment, may be on such terms and conditions as the three Companies, or any two of them (as the case may be), may mutually agree upon, and shall be valid and effectual to all intents and purposes, and may be carried into effect by all necessary and proper deeds, conveyances, and other assurances.

Interest not to be paid on calls paid up.

39. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him, but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act, 1845.

Deposits for future Bills not to be paid out of moneys raised under this Act.

40. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Company not exempt from provisions of present or future general railway Acts.

41. Nothing in this Act contained shall exempt the Company from the provisions of any general Act relating to railways, or the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels, authorised by any Act relating to the Company.

Expenses of Act.

42. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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