CHAPTER clxxviii.

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An Act for conferring further Powers on the Manchester, Sheffield, and Lincolnshire Railway Company in relation to their own undertaking and to the undertakings of other Companies; and for amending the Acts relating to, and making further provision respecting, the South Yorkshire Railway and River Dun Company, the Sheffield and Midland Railway Companies Committee, the Macclesfield, Knutsford, and Warrington Railway Company, the Macclesfield Committee, and the Oldham, Ashton-under-Lyne, and Guide Bridge Junction Railway Company; and for other purposes. [6th August 1872.]

WHEREAS it is expedient that further powers in various respects be conferred on the Manchester, Sheffield, and Lincolnshire Railway Company in relation to their own undertaking and to the undertakings of other companies:

And whereas it is expedient that the Acts relating to the following bodies be amended, and that further provision be made respecting them; (that is to say,) the South Yorkshire Railway and River Dun Company, the Sheffield and Midland Railway Companies Committee, the Macclesfield, Knutsford, and Warrington Railway Company, the Macclesfield Committee, and the Oldham, Ashton-under-Lyne, and Guide Bridge Junction Railway Company:

And whereas it is expedient that the Manchester, Sheffield, and Lincolnshire Railway Company, the Sheffield and Midland Railway Company's Committee, and the Macclesfield Committee respectively be authorised to enter on, take, and use the lands herein-after respectively mentioned for the purposes of the several and respective works authorised by this Act, and for the general purposes of their several undertakings, or the undertakings under their management or control respectively:

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And whereas it is expedient that the Manchester, Sheffield, and Lincolnshire Railway Company and the Midland Railway Company respectively may, for the convenience of their trade or business as carriers, and in order to increase the warehouse and storage accommodation for their goods traffic, be authorised to purchase and acquire lands by agreement in the parishes of Manchester and Liverpool, and the extra-parochial place called Toxteth Park, in the county of Lancaster:

And whereas it is expedient that the time for the sale of superfluous lands by the South Yorkshire Railway and River Dun Company should be extended in manner herein-after appearing:

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

And whereas plans and sections describing the lines and levels of works authorised by this Act, and books of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of lands in the lines of the proposed works, or within the limits of deviation as defined on the plans, and describing those lands, and plans of other lands by this Act authorised to be taken compulsorily, with like books of reference thereto, have been deposited with the respective clerks of the peace for the counties of Lancaster, Chester, Lincoln, and Nottingham, and for the west riding of the county of York (which are in this Act referred to as the deposited plans, sections, and books of reference):

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 Company (Additional Powers) Act, 1872.

Provisions of general Acts herein named incorporated.

2. The following enactments (as far as the same respectively are applicable for the purposes 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, and the giving of notices:

The Railways Clauses Consolidation Act, 1845:

Parts I. and II. of the Railways Clauses Act, 1863, relating respectively to the construction of a railway and to extension of time:

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

Interpretation of terms.

3. In this Act—

"The Sheffield Company" means the Manchester, Sheffield, and Lincolnshire Railway Company:

"The South Yorkshire Company" means the South Yorkshire Railway and River Dun Company:

"The South Yorkshire Transfer Act" means the South Yorkshire Railway and River Dun Company's Transfer Act, 1864:

"The Midland Company" means the Midland Railway Company:

"The Sheffield and Midland Committee" means the Sheffield and Midland Railway Companies Committee:

"The Sheffield and Midland Act of 1869" means the Manchester, Sheffield, and Lincolnshire Railway and Midland Railway Companies (Joint Lines) Act, 1869:

"The Macclesfield Company" means the Macclesfield, Knutsford, and Warrington Railway Company:

"The South Junction Company" means the Manchester, South Junction, and Altrincham Railway Company:

"The Oldham Company" means the Oldham, Ashton-under-Lyne, and Guide Bridge Junction Railway Company:

"The Staffordshire Company" means the North Staffordshire Railway Company, and "the Staffordshire Railway" means the North Staffordshire Railway:

"The Macclesfield corporation" means the mayor, aldermen, and burgesses of the borough of Macclesfield.

Terms to which meanings are assigned in enactments incorporated with this Act, or which have therein special meanings, have in this Act 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

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the debt or demand with respect to which it is used was 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 Sheffield Company to take lands referenced.

4. Subject to the provisions of this Act and of the enactments incorporated with this Act, the Sheffield Company may enter on, take, and use such of the lands described in the deposited plans and books of reference, and therein distinguished as lands at Godley, lands at Thurlstone, lands at Worksop, lands and proposed road at Gainsborough, Railway No. 1 and Railway No. 2, and new road at Mexbrough, as they require for purposes of works authorised by this Act, or other purposes of their undertaking.

Power to Sheffield Company to make and maintain new railways.

5. Subject to the provisions of this Act and of the enactments incorporated with this Act, the Sheffield Company may make and maintain, in and according to the lines and levels shown on the deposited plans and sections, the railways and works in this section described, with all proper stations, approaches, works, and conveniences connected therewith; (that is to say,)

(1.) A Railway (No. 1), two furlongs and five chains in length, commencing by a junction with the railway of the Sheffield Company, in the township of Brightside Bierlow in the parish of Sheffield, and terminating at the northerly side of a street in the same township, called Spittal-fields:

(2.) A Railway (No. 2), seven furlongs in length, commencing by a junction with the Trent, Ancholme, and Grimsby Railway, in the township and parish of Appleby, and terminating in a field in the same township and parish in the occupation of Joseph Legard.

Penalty unless Railways No. 1 and No. 2 opened.

6. If the Sheffield Company fail, within the period limited by this Act, to complete Railways (No. 1) and (No. 2), or either of them, they shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited, until the same are completed and opened for public traffic, or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the works; and the said penalty may be applied for by any landowner or other person claiming to be compensated, in accordance with the provisions of the next following section of this Act, and in the same manner as the penalty provided in section three of the Railway and Canal Traffic Act, 1854; and every sum of money recovered by way of such penalty shall be paid, under the warrant or order of such court or judge as is specified in that section, to an account opened or to be opened in the name and

with the privity of the Accountant General of the Court of Chancery in England, in the bank named in such warrant or order, and shall not be paid thereout except as in this Act provided; but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Sheffield Company were prevented from completing or opening such lines, or either of them, by unforeseen accident or circumstances beyond their control; provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty in compensation to parties injured.

7. Every sum of money so recovered by way of penalty as aforesaid shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of Railways (No. 1) and (No. 2), or either of them, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Sheffield Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the money so recovered by way of penalty shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said money, or such portion thereof as may not be required as aforesaid, shall be paid to or on the application of the Sheffield Company.

Power for Sheffield Company to make new street, diversions, &c.

8. Subject to the provisions of this Act and of the enactments incorporated with this Act, the Sheffield Company may execute, in and according to the lines and levels shown on the deposited plans and sections, the works in this section described, with all proper approaches and conveniences connected therewith; (that is to say,)

(1.) The stopping up of the roadway under a bridge carrying the railway of the Sheffield Company over an occupation road leading to lands belonging or reputed to belong to Sir Henry Hickman Bacon, Baronet, and others, in the parish of Gainsborough, and the making instead of that roadway of a new road in the same parish, commencing at or near the east side of the same bridge, and extending eastwards, and running parallel with and on the north side of the same railway for seventeen and a half chains, or thereabouts:

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(2.) The making of a new street in the township of Brightside Bierlow in the parish of Sheffield, from Rock Street to Fitzalan Street:

(3.) The stopping up of the following street and parts of streets in the township of Brightside Bierlow aforesaid; (that is to say,) Oborne Street, and parts of Fitzalan Street, Nursery Street, and Bridgehouses Street respectively:

(4.) The making of an approach road in the town or village of Mexbrough from the main street or road passing through the same to the railway station there of the Company on the railway of the South Yorkshire Company.

For determining the line of new street in Sheffield.

9. The new street in the township of Brightside Bierlow in the parish of Sheffield, from Rock Street to Fitzalan Street, which the Sheffield Company are by this Act authorised to make and form, shall be laid out and constructed according to the lines shown upon the plan agreed upon by Samuel F. Holmes and Charles Sacré, the respective engineers of the mayor, aldermen, and burgesses of the borough of Sheffield and the Sheffield Company, such plan being authenticated in duplicate by the signatures of the engineers respectively.

Vesting of stopped up roads in Sheffield Company.

10. On the Sheffield Company stopping up in pursuance of this Act any roadway or street, all rights of way and other rights and easements over such portions of the respective roadway or street as are stopped up shall (except as herein-after provided) be by virtue of this Act extinguished.

Company not to disturb pipes until they have substituted others.

11. Provided always, that it shall not be lawful for the Sheffield Company to remove or displace any of the mains or pipes (other than private service pipes) or other works belonging to the Sheffield Waterworks Company or the Sheffield United Gaslight Company respectively, or to do anything to impede the passage of water or gas into or through such mains or pipes, until other mains and pipes and all other works necessary or proper for continuing the supply of water or gas as efficiently as the same was supplied by the mains or pipes proposed to be removed or displaced, shall, at the expense of the Sheffield Company, have been first made and laid down in lieu thereof, and be ready for use in a position as little varying from that of the pipes or mains to be removed or displaced as may be consistent with the execution of the works hereby authorised, and to the satisfaction of the engineer for the time being of the Sheffield Waterworks Company or the Sheffield United Gaslight Company, as the case may be.

Company to make good all damage done to property.

12. The Sheffield Company shall make good all damage done to the property of the said Sheffield Waterworks Company and the said Sheffield United Gaslight Company respectively, caused by the disturbance of any such mains or pipes, and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference therewith, or with the private service pipes of any person supplied with water or gas.

When railway crosses pipes Company to make a culvert.

13. Wherever it shall be necessary to construct the railway No. 1, or any of the works connected therewith, over any such mains or pipes, the Sheffield Company shall, at their own expense, construct and maintain a good and sufficient culvert, not less than three feet wide, and four feet six inches high, over such mains or pipes, so as to leave the same at all times accessible to the owners thereof for the purpose of repairs or renewals.

Power to Sheffield Company to establish superannuation fund and guarantee fund.

14. The Sheffield Company may, with the authority of three fifths of the votes of their shareholders, present in person or by proxy at a general meeting specially convened for the purpose, establish the following funds, or either of them; (that is to say,)

(A.) A fund for payment of superannuation and other retiring allowances to the Company's salaried officers and servants, being contributors thereto, to be called the superannuation fund:

(B.) A fund for providing a guarantee to the Company for the good conduct of their officers and servants, to be called the guarantee fund:

And with respect to those several funds the following provisions shall have effect; (namely,)

(1.) The directors of the Company may from time to time carry to the credit of those funds respectively such sums of money out of the revenues of the Company as the shareholders present at a general meeting of the Company convened with notice of the proposal shall determine:

(2.) The directors may from time to time make all such regulations respecting contributions to and the management and disposal of those funds respectively as they think fit.

Saving for ordinary powers of Sheffield Company.

15. Nothing in or done under this Act shall affect the power of the Sheffield Company to grant superannuation or other retiring allowances to any of their officers or servants, if and as they think fit.

Power to directors to accept guarantee fund.

16. Notwithstanding anything in the Companies Clauses Consolidation Act, 1845, contained, the directors of the Sheffield Company may, if they think fit, take the security of the guarantee fund in

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respect of all or any of the officers and servants of the Company, in lieu of any other security.

Power to Sheffield Company to establish savings banks, &c.

17. The Sheffield Company may, with the authority of three fourths of the votes of their shareholders, present in person or by proxy at a general meeting specially convened for the purpose, establish provident institutions and savings banks, and thereupon the directors of the Company may receive from any officers, servants, workmen, or apprentices of the Company, or any members of their families respectively, or from any officers, servants, workmen, or apprentices of any contractor or agent of the Company receiving wages in respect of work done for the Company, money, on deposit at interest, which money and interest are hereby charged on the net profits of the Company's undertaking next after any debt or money which they owe or are liable to pay at the passing of this Act, and any money for the time being borrowed by them, and may from time to time make such regulations as they think fit respecting the management of those institutions and banks, the liability and discharge of trustees, rate of interest, withdrawal and payment of deposits, payments to minors, married women, and personal representatives of deceased depositors, and other matters.

Regulations to be certified.

18. All regulations made by the directors of the Sheffield Company respecting the superannuation fund or the guarantee fund, or any provident institution or savings bank established by the Company under this Act, shall, before they are acted on, be submitted to the Registrar of Friendly Societies in England, or the officer discharging his functions, and be approved of by him, such approval to be certified under his hand; and all regulations so for the time being certified shall be binding on the Company, and their officers and servants, and on all depositors and their representatives; and the same, or a copy thereof, certified under the hand of such registrar or officer as aforesaid, or of the secretary of the Company, shall be evidence thereof; and the provisions of sections nine, thirty-one, and forty-three to forty-nine (both inclusive) of the Act of the session of the twenty-sixth and twenty-seventh years of Her Majesty's reign (chapter eighty-seven) to consolidate and amend the laws relating to savings banks (which sections relate respectively to married women, and to deceased persons, and to settlement of disputes) shall apply to every such fund, institution, or bank.

Extension of time for works under Act of 1866.

19. The time limited by the Manchester, Sheffield, and Lincolnshire Railway (Additional Powers) Act, 1866, for the construction of the works authorised by that Act, as extended by a certificate of the Board of Trade, dated the twenty-fifth day of August one thousand eight hundred and sixty-nine, is hereby extended so as to continue

until the first day of July one thousand eight hundred and seventy-five.

Power to South Yorkshire Company to raise additional share capital.

20. In addition to such share capital as the South Yorkshire Company are for the time being, independently of this Act, authorised to raise, they may, subject to the provisions of the Companies Clauses Consolidation Act, 1845, incorporated herewith, from time to time, by virtue of this Act, raise such sums as they think requisite, not exceeding in the whole the sum of two hundred thousand pounds, by the creation of new shares or new stock, ordinary or preference, or partly ordinary and partly preference, as the South Yorkshire Company think fit.

New shares of South Yorkshire Company to be subject to same provisions as shares existing.

21. Except as by or under the authority of this Act, or any enactment incorporated with this Act, is otherwise provided, the additional capital to be created by the South Yorkshire Company under this Act, and the shares and stock representing the same therein, and the holders of such 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 share capital of the same company existing at the passing of this Act, and such shares or stock were shares or stock in that capital.

Shares not to issue until one fifth paid.

22. No Company shall issue any share under this Act, nor shall any share issued under this Act vest in any person, unless and until a sum not less than one fifth of the amount thereof has been paid.

Power to South Yorkshire Company to raise additional loan capital.

23. In addition to such money as the South Yorkshire Company are for the time being, independently of this Act, authorised to borrow, they may from time to time, by virtue of this Act, borrow on mortgage such sums as they think requisite, not exceeding in the whole the sum of sixty-six thousand three hundred and thirty-three pounds, but no part thereof shall be borrowed until the whole of their additional share capital of two hundred thousand pounds authorised by this Act is subscribed for, 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 the whole of such capital has been subscribed for, 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 or portion of stock in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; and upon production to such justice of the books of the South Yorkshire Company, and

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of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Debenture stock.

24. The South Yorkshire Company may create and issue debenture stock.

Existing mortgages to have priority.

25. All mortgages granted by the South Yorkshire Company under any Act, and subsisting at the passing of this Act, shall, during their continuance, have priority over all mortgages granted by that company under this Act; but nothing in this clause contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Arrears may be enforced by appointment of a receiver.

26. The mortgagees of the South Yorkshire Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages, by the appointment of a receiver; and 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.

Application of South Yorkshire additional capital.

27. The South Yorkshire Company may, notwithstanding the lease of their undertaking to the Sheffield Company by virtue of the South Yorkshire Transfer Act, but with the consent of the Sheffield Company, and not otherwise, apply any money received by them by virtue of this Act in the purchase of additional rolling stock, and in the execution of any work at the passing of this Act authorised to be executed by them, including any further work for the accommodation of the traffic on the undertakings of the South Yorkshire Company which the Sheffield Company from time to time request them to execute; and any capital so applied by the South Yorkshire Company shall form part of the capital on which interest or dividend is to be paid by the Sheffield Company under the South Yorkshire Transfer Act.

Extending time for sale of superfluous lands of South Yorkshire Company.

28. The South Yorkshire Company may, notwithstanding anything to the contrary contained in the Lands Clauses Consolidation Act, 1845, or in any Act relating to the South Yorkshire Company with which that Act is incorporated, retain and hold any lands purchased by or belonging to them which have not yet been applied to the purposes of their undertaking, or sold or disposed of by them, in the parishes following; that is to say, Adwick upon Dearne, Barnby Don, Conisborough, Darfield, Doncaster, Fishlake, Kirk Sandall, Mexborough, Royston, Sheffield, Silkstone, Sprotborough, Tankersley, Thorne, Thrybergh, Wath upon Dearne, and Warmsworth, all in the county of York, and Crowle in the county of Lincoln, for

the periods following; that is to say, as regards such of the lands as are situate near to or adjoining any railway or station of the Company, and which the Company may be of opinion that they may require for the purposes of stations, sidings, or other conveniences for the period of ten years from the passing of this Act, and as regards the other of the said lands for the period of five years from the passing of this Act; but the South Yorkshire Company shall, at the expiration of such respective periods of ten years and five years, sell and dispose of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes of their undertaking.

Incorporation of Sheffield and Midland Committee.

29. The persons for the time being constituting the Sheffield and Midland Committee are hereby united into a corporation for the purpose of the exercise of the powers and performance of the duties for the time being belonging to that committee; and for that purpose the persons aforesaid are hereby incorporated by the name of the Sheffield and Midland Railway Companies Committee, and by that name shall be one body corporate, with perpetual succession and a common seal, and with powers to purchase, take, hold, and dispose of lands and other property.

Effect of deeds, &c. under common seal.

30. All deeds, contracts, and proceedings made under or authenticated by the corporate seal of the Sheffield and Midland Committee shall be legal and binding, without the signatures of any of the members of that committee, and without the seals of the two companies represented therein, or either of them.

Saving for constitution of committee.

31. Except as in this Act expressly provided, nothing in this Act, or in any enactment incorporated with this Act, shall affect the provisions of the Sheffield and Midland Act of 1869 relative to the nomination and appointment of the committee, or their powers and authorities, or the regulation of their meetings, or the appointment or powers of the arbitrator, and those provisions shall continue to operate as if this Act had not been passed.

Powers of purchase of land to be exercised by Sheffield and Midland Committee.

32. So much of section twenty-nine of the Sheffield and Midland Act of 1869 as excepts from the powers, authorities, and rights to be exercised by the Sheffield and Midland Committee, the powers of purchasing and taking lands, and as enacts or directs that those powers shall be exercised in the names of the two companies represented in the committee, is hereby repealed.

Partial repeal of former Act

33. Sections thirty-four and thirty-five of the Sheffield and Midland Act of 1869 are hereby repealed, but this repeal shall not

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as to committee.

affect the past operation of any of those enactments, or the force or operation of any order or regulation made or given, or the validity or invalidity of anything done or suffered, or any right, title, obligation, or liability accrued, or any proceeding commenced before the passing of this Act; nor shall anything in this section interfere with the institution or prosecution of any proceeding in respect of any offence, penalty, or forfeiture committed or incurred before the passing of this Act.

Actions, &c. against the committee.

34. All actions, suits, indictments, and other proceedings at law or in equity which, if one company had been exclusively authorised to exercise the powers, authorities, and rights under the Sheffield and Midland Act of 1869 vested in the Sheffield and Midland Companies jointly, or any of them, might have been brought or prosecuted by or against that company, shall be brought and prosecuted by or against the committee; and any summons, demand, writ, notice, or other proceeding at law or in equity, or otherwise, relating in any manner to any undertaking authorised by the Sheffield and Midland Act of 1869, or relating in any manner to any act or default of the Sheffield and Midland Companies, or either of them, under the Sheffield and Midland Act of 1869, shall, if served on the committee at their principal office, be valid and effectual.

Application of parts of Companies Clauses Consolidation Act to Sheffield and Midland Committee.

35. The following sections of the Companies Clauses Consolidation Act, 1845, incorporated with this Act, shall apply to the Sheffield and Midland Committee; namely,

Section ninety-seven, with respect to the making of contracts:

Section ninety-eight, with respect to the entry of proceedings:

Section ninety-nine, with respect to the validity of proceedings:

Section one hundred, with respect to liability and indemnity:

Sections one hundred and nine to one hundred and fourteen, both inclusive, with respect to the accountability of officers:

And for the purposes of this Act, the provisions of those sections relative to the Company or to the directors shall apply to that committee and to the members thereof.

Property, &c. vested in incorporated Sheffield and Midland Committee.

36. All property and rights of or to which the unincorporated Sheffield and Midland Committee, or any person on their behalf, are or is seised, possessed, or entitled at law or in equity at the passing of this Act shall be by virtue of this Act vested in that committee as incorporated by this Act to the same extent and for the same estate and interest as and for which the same respectively is and are at the passing of this Act vested in that unincorporated committee, or any person on their behalf, and may be held, used, and enjoyed accordingly.

Conveyances, &c. to be in force as to Company.

37. All purchases, sales, conveyances, grants, assurances, leases, mortgages, bonds, contracts, agreements, securities, and other acts and things before the passing of this Act made, done, entered into, executed, or instituted by, with, or with reference to the unincorporated Sheffield and Midland Committee, shall be as valid and effectual for, against, and with reference to that committee as incorporated by this Act as if the same had been done, entered into, executed, or instituted by, with, or with reference to the incorporated instead of the unincorporated committee; and all conveyances, assignments, and assurances made for the purposes of the several undertakings by the Manchester, Sheffield, and Lincolnshire Railway and Midland Railway Companies (Joint Lines) Act, 1869, placed under the management of the Sheffield and Midland Committee, shall enure to the use of the incorporated committee, and the lands comprised in those conveyances, assignments, and assurances shall vest in that committee.

Rents, &c. to be paid.

38. All subsisting rates, rents, and charges at the passing of this Act due and payable or accruing to and payable to the unincorporated Sheffield and Midland Committee shall be payable to and may be collected, recovered, and enforced by the committee as incorporated by this Act, by the means and under the restrictions and regulations by and under which they might have been collected recovered, and enforced by the unincorporated committee.

Debts to be paid and received.

39. All debts due to the unincorporated committee, or to any person on their behalf, with all interest (if any) due or to accrue due, shall be paid to the committee as incorporated by this Act, and shall be recovered by them; and all debts due by the unincorporated committee, with all interest (if any) due or to accrue due, shall be paid by the incorporated committee, and shall be recoverable from them.

Officers continued.

40. All officers of and persons employed by the unincorporated Sheffield and Midland Committee in office at the passing of this Act shall hold their respective offices and employments as if this Act had not been passed, and be deemed to be officers of or persons employed by the committee as incorporated by this Act; and they and their respective sureties shall be liable as if they respectively had been appointed and had become bound by and to the incorporated committee after the passing of this Act.

Saving rights and liabilities.

41. Notwithstanding the incorporation by this Act of the Sheffield and Midland Committee, and except as by this Act or otherwise expressly provided, everything before the passing of this

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Act done or suffered by or with reference to that committee shall remain as if that committee had not been incorporated; and such incorporation and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered, and to all rights, liabilities, claims, and demands, both present and future, which, if that committee had not been incorporated and this Act had not been passed, would be incident to and consequent on any and every thing so done or suffered; and with respect to all such rights, liabilities, claims, and demands, the incorporated committee shall to all intents represent and be deemed a continuation of the unincorporated committee, and the generality of this enactment shall not be restricted by any special provision of this Act.

For protection of the trustees of the Stockport and Ashton turnpike road.

42. Sections twenty-five and twenty-seven in the Manchester and Stockport Railway Act, 1866, are hereby repealed, and in lieu thereof the following provisions shall apply in respect of the construction of the railway and roads therein named; (viz.,)

1. The Stockport and Ashton turnpike road, number 106 on the deposited plans, in the parish of Stockport, shall be crossed by means of a bridge over the said road so constructed as to leave thereunder a clear space of not less than thirty-six feet from abutment to abutment, and the clear height of the arch or opening from the surface of such road shall not be less for any part of the whole width thereof than sixteen feet, and the descent made in the road in order to carry the same under the bridge shall not be more on the north side of the bridge than one foot in forty feet, and on the south side of the bridge the road shall be continued on the level until it joins the existing road; and sufficient drainage works, to the satisfaction of the trustees of the road or their surveyor, shall be made by the Company in order to drain effectually the water from the road and the sides thereof so far as the same shall be altered or interfered with:

2. The Stockport and Ashton turnpike road, numbered 138 on the deposited plans, in the parish of Stockport, shall be crossed by means of a bridge over the said road so constructed as to leave thereunder a clear space of not less than thirty-six feet from abutment to abutment, and the clear height of the arch or opening from the surface of such road shall not be less for any part of the whole width thereof than sixteen feet, and the descent made in the road in order to carry the same under the bridge shall not be more on the north side of the bridge than one foot in 40 feet, and on the south side of the bridge than one foot in fifty feet.

Abandonment of part of Manchester and Stockport Railway.

43. The Sheffield and Midland Committee shall abandon the construction of so much of the Railway (No. 1) authorised by the Manchester and Stockport Railway Act, 1866, as lies between the point in the field numbered 24 in the township of Brinnington, on the plans deposited with the clerk of the peace for the county of Chester in respect of that railway, and the termination of that railway as shown on those plans.

Power for Sheffield and Midland Committee to take lands.

44. The Sheffield and Midland Committee may enter on, take, and use such of the lands described in the deposited plans and books of reference, and therein distinguished as lands at Hyde, as they from time to time require for the purposes of works authorised by this Act, or for other purposes of the undertaking belonging to or under the management of that committee.

Power for Sheffield and Midland Committee to make works and take lands.

45. Subject to the provisions of this Act and of the enactments incorporated with this Act, the Sheffield and Midland Committee may make and maintain, in and according to the lines and levels shown on the deposited plans and sections, the railway in this section described, with all proper stations, approaches, works, and conveniences connected therewith, and may enter on, take, and use such of the lands described in the deposited plans and books of reference, and therein distinguished as Railway (No. 4), as they require for the purposes thereof; that is to say, the following railway:

A Railway (No. 4), five furlongs four chains and eighty links in length, commencing in the township of Brinnington in the parish of Stockport by a junction with the Railway (No. 1) authorised by the Manchester and Stockport Railway Act, 1866, and terminating in the same township by a junction with the Stockport and Woodley Junction Railway.

Penalty for not making railway by the Sheffield and Midland Committee.

46. Sections seven and eight of the Sheffield and Midland Act of 1869 shall extend to the railway by this Act authorised to be made by the Sheffield and Midland Committee.

As to additional lands to be acquired by Sheffield and Midland Companies by agreement.

47. The Sheffield Company and the Midland Company may from time to time, either jointly or severally, purchase, take, and acquire, by agreement, but not otherwise, any lands situate in the parish of Manchester, or in the parish of Liverpool, or extra-parochial place called Toxteth Park, in the county of Lancaster, as they may respectively deem necessary for the convenience of their trade or business as carriers, or for the increase of the warehouse and storage accommodation of the goods traffic of the Sheffield and Midland Companies, or either of them, and may for that purpose apply any money which they or either of them are for the time

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being authorised to raise, and which is not for the time being required for the purposes for which the same was authorised to be raised: Provided always, that the total quantity of land to be acquired by the Sheffield and Midland Companies, either jointly or separately, under the authority of this enactment, shall not exceed fifty acres.

Abandonment by Macclesfield Company of portions of authorised lines.

48. The Macclesfield Company shall abandon the construction of the following works; (namely,)

(1.) So much of the Railway (No. 1) authorised by the Macclesfield, Knutsford, and Warrington Railway Act, 1866, as lies between the point of junction with that railway of Railway (No. 5) herein-after authorised by this Act and the field numbered 19 in the township of Nether Knutsford on the plans deposited with the clerk of the peace for the county of Chester in respect of the last-mentioned Railway (No. 1):

(2.) The Railway (No. 5) authorised by the Macclesfield, Knutsford, and Warrington Railway Act, 1866.

Power to Macclesfield Company to make new railways and other works.

49. Subject to the provisions of this Act and of the enactments incorporated with this Act, the Macclesfield Company may make and maintain, in and according to the lines and levels shown on the deposited plans and sections, the railways in this section described, with all proper stations, approaches, works, and conveniences connected therewith, and may enter on, take, and use such of the lands described in the deposited plans and books of reference, and therein distinguished as Railway (No. 5) and Railway (No. 6), as they require for those purposes; (that is to say,)

(1.) A Railway (No. 5), one mile four furlongs and seventy-five links in length, commencing in the township and parish of Mobberley by a junction with the Railway (No. 1) authorised by the Macclesfield, Knutsford, and Warrington Act, 1866, and terminating by a junction at Mobberley with the railway of the Cheshire Lines Committee authorised by the Cheshire Midland Railway Act, 1860:

(2.) A Railway (No. 6), two furlongs one chain and thirty links in length, commencing by a junction with Railway (No. 5), and terminating by a junction with the said railway of the Cheshire Lines Committee.

Penalty for not making railway by Macclesfield Company.

50. Section thirty-five of the Macclesfield, Knutsford, and Warrington Railway Act, 1866, shall extend to the railways by this Act authorised to be constructed by the Macclesfield Company.

Power to Sheffield Company to

51. The Sheffield Company may, with the authority of three fourths of the votes of their shareholders, present in person or by

proxy at a general meeting specially convened for the purpose, from time to time subscribe any sum which they think fit towards the undertaking of the Macclesfield Company, not exceeding in the whole one hundred thousand pounds, and may, with the like authority, contribute and apply in payment thereof any money authorised to be raised by them, and not required for the special purposes for which the same was authorised, and shall, in respect of the sum subscribed, and the corresponding shares, have all the powers, rights, and privileges (except in regard to voting at general meetings, which shall be as herein-before provided), and be subject to all the obligations and liabilities of proprietors of shares in the Macclesfield Company, save that they shall not sell, dispose of, or transfer any share in the Macclesfield Company.

subscribe to Macclesfield Company.

52. The Sheffield Company, whilst shareholders under this Act of any other company, may, by writing under their common seal, from time to time appoint some person to attend any meeting of that other company, and such person shall have all the privileges and powers attaching to other shareholders at such meetings, and may vote thereat in respect of the capital held by the Sheffield Company.

Votes of Sheffield Company at general meetings of other companies.

53. The Sheffield Company may, with the authority of three fourths of the votes of their shareholders, present in person or by proxy at a general meeting specially convened for the purpose, purchase from the Macclesfield Company, and the Macclesfield Company may, with the like authority of three fourths of the votes of their shareholders, present in person or by proxy at a general meeting specially convened as aforesaid, sell to the Sheffield Company the undertaking, property, and rights of the Macclesfield Company, or any part thereof, for such consideration and on such terms and conditions as those two companies agree on.

Power to Sheffield Company to buy all or part of undertaking of Macclesfield Company.

54. The sale by the Macclesfield Company of their undertaking, property, and rights, or of any part thereof, to the Sheffield Company shall be carried into effect by a deed of transfer duly stamped (truly stating the consideration); and on the execution thereof by the Macclesfield Company the undertaking, property, and rights of that company, or of the part thereof comprised in the deed of transfer, shall by virtue thereof and of this Act become and the same shall thenceforth be transferred to and vested in the Sheffield Company for all the estate and interest of the Macclesfield Company therein (which is in this Act referred to as the transfer).

Transfer by deed.

55. The receipt of any three of the directors of the Macclesfield Company for the purchase money of their undertaking, or of any

Receipt of three directors a discharge.

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part thereof, indorsed on the deed of transfer, shall be a sufficient discharge to the Sheffield Company for the same, and the Sheffield Company shall not be bound to see to the application or be answerable for misapplication or nonapplication thereof.

Macclesfield Company's debts, &c. to be paid by them.

56. All debts, rents, rates, charges, and sums of money, actions, suits, and proceedings, and causes of action, suit, or proceeding, which at the time of the transfer are due or owing from or pending or existing against the Macclesfield Company in respect of their undertaking, or of the part thereof comprised in the transfer, shall be paid, discharged, settled, and satisfied by them; and they shall, if required by the Sheffield Company, on or before receiving the purchase money for their undertaking, or the part thereof comprised in the transfer, either produce to the Sheffield Company valid and sufficient receipts and discharges for or evidence of settlement and satisfaction of the same, or give to the Sheffield Company a sufficient security for the due payment, discharge, settlement, and satisfaction of the same, or of such of them as are not then paid, discharged, settled, and satisfied, and for the indemnity of the Sheffield Company against the same.

Sheffield Company to be primarily liable for Macclesfield Company's debts unpaid.

57. If at any time after the transfer any claim is lawfully made for any debt, rent, rate, charge, or sum of money which at the time of the transfer is due or owing from the Macclesfield Company in respect of their undertaking, or of the part thereof comprised in the transfer (as the case may be), but is not paid or discharged by them, the Sheffield Company shall be primarily liable to satisfy the same, without prejudice to any remedy over against the Macclesfield Company under any security given by them to the Sheffield Company or otherwise.

Pending actions, &c. against Macclesfield Company.

58. If at the time of the transfer any action, suit, or proceeding is pending against the Macclesfield Company in respect of their undertaking, or of the part thereof comprised in the transfer (as the case may be), the same shall not abate or be discontinued by reason of the transfer or of anything in this Act, but the same may be continued and prosecuted against the Sheffield Company as and when it might have been continued and prosecuted against the Macclesfield Company if this Act had not been passed, but not further or otherwise, without prejudice to any remedy over against the Macclesfield Company under any security given by them to the Sheffield Company or otherwise.

Causes of action, &c. against Macclesfield Company.

59. If at the time of the transfer any cause of action, suit, or proceeding is existing against the Macclesfield Company in respect of their undertaking, or of the part thereof comprised in the transfer

(as the case may be), the same shall not be in anywise prejudicially affected by the transfer or by anything in this Act, but the same may be enforced against the Sheffield Company as and when it might have been enforced against the Macclesfield Company if this Act had not been passed, but not further or otherwise, without prejudice to any remedy over against the Macclesfield Company under any security given by them to the Sheffield Company or otherwise.

Application of purchase money.

60. The Macclesfield Company shall hold the purchase money of their undertaking, or of the part thereof comprised in the transfer (as the case may be), when paid, and all other money for the time being belonging to them, on trust to apply the same in or towards discharge of their debts and liabilities, and to distribute the residue among the shareholders of that company, their executors, administrators, or assigns, rateably and according to their priorities; and the directors of the Macclesfield Company may exercise all powers necessary for paying and discharging the debts and liabilities and for distributing the assets or any part of the assets of that company, and, in case the transfer comprises the whole undertaking of the Macclesfield Company, for winding up the affairs of that company.

Macclesfield Company's books evidence as to shareholders.

61. The persons who appear in the books of the Macclesfield Company to be proprietors of shares in the capital of that company shall, unless the contrary is proved to the satisfaction of the directors of that company, be considered to be shareholders of that company for the purposes of the distribution of that company's assets, or of any part thereof.

On transfer of undertaking Macclesfield Company to be dissolved.

62. In case the transfer comprises the whole undertaking of the Macclesfield Company, then when and as soon as the debts of the Macclesfield Company have been paid, and their assets have been distributed in manner aforesaid, and their affairs have been wound up, the Macclesfield Company shall be by virtue of this Act dissolved.

Power for Macclesfield Committee to take lands referenced.

63. Subject to the provisions of this Act, the Macclesfield Committee may enter on, take, and use such of the lands described in the deposited plans and books of reference, and numbered in the same plans and books of reference in respect of lands in the township of Macclesfield and parish of Prestbury 1, 2, 3, 12, 17A, 18, 20, 22, 23, and 24, as they require for purposes of works authorised by this Act, or other purposes of the undertaking under their management or control.

Power for Macclesfield Committee

64. The Macclesfield Committee may hold and use as part of their corporate property lands acquired by them before the passing

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to hold lands for new Macclesfield station.

of this Act, situate in the township of Macclesfield and described in the deposited plans and books of reference, and numbered in respect of lands in the township of Macclesfield and parish of Prestbury 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24.

Limiting land to be taken in Macclesfield.

65. Nothing in this Act contained shall enable the Macclesfield Committee to permanently appropriate, take, and use any part of Waters Green or Cross Keys Passage in Macclesfield, other than so much as is necessary for making an approach road to their new station there, and as is shown on a plan which has been prepared in duplicate and verified by the common seals of the Macclesfield corporation and the Macclesfield Committee; and the said committee shall, within two years from the passing of this Act, convey and assure to the said Macclesfield corporation the whole of the lands numbered on the duplicate plans and book of reference in respect of lands in the township of Macclesfield 19, 20, 21, 22, and 23, and also such part of the lands numbered 18 on the same plans as shall not be required for the said approach road.

Power for Macclesfield Committee to make new street and other works.

66. Subject to the provisions of this Act, the Macclesfield Committee may execute, in and according to the lines and levels shown on the deposited plans and sections, the street and other works in the township of Macclesfield in this section described, with all proper conveniences connected therewith; (that is to say,)

(1.) The making of a new street from Buxton Road to Cuckstool Pit Hill:

(2.) The stopping up of so much of the public footpath and bridge over the River Bollin as lies between Waters Green and Cuckstool Pit Hill:

(3.) The stopping up of the Gap and of Back Gap Street, and of the road or passage in Waters Green called Cross Keys Passage, and of a road or street between the south side of Buxton Road and the north side of Cuckstool Pit Hill, being on the east side of and adjoining and parallel to the North Staffordshire Railway:

(4.) The stopping up of so much of Cuckstool Pit Hill as lies between its commencement at the east side of the North Staffordshire Railway and its junction with Devonport Street:

(5.) The diversion and alteration of that portion of Goodwin's Green which lies between the Gap and Cuckstool Pit Hill.

As to bridge carrying the North Staf-

67. The Macclesfield Committee shall, within two years from the passing of this Act, widen the bridge carrying the Staffordshire

Railway over Buxton Road in Macclesfield so as to leave a clear space or roadway of thirty-six feet between the abutments of such bridge, and a headway of not less that eleven feet nine inches, and shall also widen and maintain the bridge carrying the said road called Buxton Road over the River Bollin; and the Macclesfield corporation shall metal or pave, and for ever thereafter maintain and keep in repair, the surface of the road under the said railway, together with the approaches thereto.

Staffordshire Railway over Buxton Road in Macclesfield.

68. The Macclesfield Committee may widen the railway over Buxton Road aforesaid to such width as they may think fit, not exceeding in the whole sixty feet measured between the parapet walls of such bridge.

Width of railway over Buxton Road.

69. The works necessary for widening the bridge carrying the Staffordshire Railway over Buxton Road aforesaid shall be executed according to plans to be approved of by the engineer for the time being of the Staffordshire Company and the engineer of the Macclesfield Committee, and, in case of difference between them, by an engineer to be appointed by the Board of Trade; and such works shall be so carried on as not to obstruct or impede the traffic upon the Staffordshire Railway, or so as to prevent or impede the convenient passage of engines, carriages, or waggons along the same.

Traffic on Staffordshire Railway not to be obstructed.

70. The Macclesfield Committee and the Sheffield Company respectively may, for all purposes of their traffic, run over and use with their engines and carriages, free of toll or other charge, such part of the Staffordshire Railway at Macclesfield as may be requisite or necessary to enable the Macclesfield Committee and the Sheffield Company respectively to have and enjoy at all times free and uninterrupted access to and from, and the convenient use of, the station, booking offices, sidings, and works of the Macclesfield Committee at Macclesfield.

Power to use part of North Staffordshire Railway.

71. The Staffordshire Company shall from time to time appoint and remove such watchmen, switchmen, and other persons as may be necessary for the prevention of danger to or interference with the traffic at the junction, and have exclusive regulation of the management and working of such signals, and shall bear and pay all the expenses of maintaining those signals and conveniences, and of employing those watchmen, switchmen, and other persons.

Junction signals to be managed and maintained by and at the cost of the North Staffordshire Company.

72. The Staffordshire Company may, free of toll or other charge, use with their engines and carriages, and with and for the purposes of their traffic, the station of the Macclesfield Committee at Macclesfield, and all sidings, watering places, booking offices, approaches,

The North Staffordshire Company to have use of station at Macclesfield.

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buildings, works, and conveniences connected with such station: Provided always, that nothing herein contained shall authorise the Staffordshire Company to use the said station, booking offices, and works for the purpose of the through or other trains of the London and North-western Railway Company, or for traffic conveyed or to be conveyed over the London and North-western Railway between Macclesfield and Manchester and between Macclesfield and Stockport.

Saving rights of North Staffordshire Company.

73. Nothing in this Act contained shall extend to authorise the Macclesfield Committee to take or use any lands of the Staffordshire Company without their consent under their common seal first had and obtained, or prejudice, diminish, alter, or take away any of the rights, powers, privileges, or authorities of the Staffordshire Company, otherwise than is herein expressly provided for.

Power for Sheffield Company to subscribe to South Junction Company.

74. The Sheffield Company may, with the authority of three fourths of the votes of their shareholders, present in person or by proxy at a general meeting specially convened for the purpose, from time to time subscribe any sum which they think fit towards the undertaking of the South Junction Company, not exceeding in the whole fifty thousand pounds, and may, with the like authority, contribute and apply in payment thereof any money authorised to be raised by them, and not required for the special purposes for which the same was authorised, and shall, in respect of the sum subscribed, and the corresponding shares, have all the powers, rights, and privileges (except in regard to voting at general meetings, which shall be as herein-before provided), and be subject to all the obligations and liabilities of proprietors of shares in the South Junction Company, save that they shall not sell, dispose of, or transfer any share in the South Junction Company.

Power for Oldham Company to take lands referenced.

75. Subject to the provisions of this Act and of the enactments incorporated with this Act, the Oldham Company may enter on, take, and use such of the lands in Oldham described in the deposited plans and books of reference as they require for purposes of their undertaking.

As to arching over Waterloo Street in Oldham.

76. Nothing in this Act or in the deposited plans and sections shall authorise or empower the Oldham Company to build or place any arch or other covering over Waterloo Street in Oldham of any greater width than thirty feet, or of any greater or less span than thirty-six feet, or of any less headway for the whole of such thirty-six feet than twenty-five feet, and there shall be left between any such arch or covering and the south side of the arch by which the

railway of the Oldham Company is now carried over Waterloo Street an open and uncovered space of not less than sixty feet.

Powers for compulsory purchases limited.

77. The powers of any Company or 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.

Houses of labouring classes.

78. Each Company and Committee shall, not less than eight weeks before they take in any parish fifteen houses or more, occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within reasonable distance from such houses; and the respective Company or Committee shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention to take the same.

Lands for extraordinary purposes.

79. The quantity of land to be taken by any Company or Committee by agreement under this Act for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act, 1845, shall not exceed three acres.

Railways to be part of several undertakings.

80. Any railway by this Act authorised shall, for the purposes of tolls and for all other purposes, be deemed part of the undertaking of the Company or Committee by which the same is authorised to be made.

Period for completion of works.

81. If any work authorised by this Act is not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted for execution of the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Compensation for damage to land by entry, &c.

82. The abandonment under the authority of this Act of any portion of any railway or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation, in accordance with the provisions in that behalf of the Lands Clauses Consolidation Act, 1845, for any damage occasioned by entry on such land for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil, or setting out of the line of railway, and shall not prejudice or affect the right of the owner or occupier of any land temporarily occupied to receive compensation, in accordance with the Railways Clauses Consolidation Act, 1845, fer such temporary occupation, or for any loss,

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damage, or injury sustained by him by reason thereof, or of the exercise, as regards such land, of any of the powers contained in the last-mentioned Act or in any special Act.

Compensation in respect of portions of railways abandoned.

83. Where before the passing of this Act any contract has been entered into or notice given for the purchasing of any land for the purposes of or in relation to any portion of the railways or works authorised to be abandoned by this Act, and the same is not required for the purposes of any work by this Act authorised, full compensation shall be made by the Company or Committee by which such contract was entered into or such notice was given to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed in pursuance of the contract or notice; and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act, 1845, for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Power to respective Companies and Committees to apply corporate funds.

84. The Sheffield Company, the Sheffield and Midland Committee, the Macclesfield Company, the Macclesfield Committee, and the Oldham Company, may apply, for purposes of this Act, any money which they respectively are for the time being authorised to raise independently of this Act, and which is not for the time being required for the purposes for which the same was authorised to be raised.

Interest not to be paid on calls paid up.

85. The South Yorkshire Company shall not, out of any money by this Act authorised to be raised by calls, debenture stock, or borrowing, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him, but this Act shall not prevent a 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 capital.

86. No Company shall, out of 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 any Company to construct any other railway or to execute any other work or undertaking.

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87. Nothing in this Act shall exempt any railway by this Act authorised from the provisions of any general Act relating to rail-

ways, 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 rates of fares and charges, or of rates for small parcels. A.D. 1872. present and future general Acts.

88. The costs, charges, and expenses preliminary to, and of and incidental to the preparing of, applying for, and obtaining and passing of this Act, shall be paid by the several Companies and Committees mentioned in this Act in such proportions as they may agree. Expenses of Act.

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