CHAPTER cxlvi.

An Act to authorise the Manchester Sheffield and Lincolnshire Railway Company to construct a new railway and other works and to confer further powers upon that Company in connexion with their undertaking and for other purposes. [14th July 1884.]

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WHEREAS it is expedient that the Manchester Sheffield and Lincolnshire Railway Company (in this Act called the Company) should be empowered to make and maintain the driftway or tunnel railway and other works herein-after described and to exercise the other powers by this Act conferred upon the Company and to acquire for the purposes of this Act and for the general purposes of their undertaking and works connected therewith the lands and buildings herein-after described or referred to:

And whereas it is expedient that the Company should be empowered to raise further moneys for the purposes of the works by this Act authorised and for the general purposes of their undertaking:

And whereas it is expedient that the respective times limited by the Manchester Sheffield and Lincolnshire Railway Act 1881 for the completion of certain railways and works authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1866 by the Manchester Sheffield and Lincolnshire Railway Company (Additional Powers) Act 1872 by the Manchester Sheffield and Lincolnshire Railway Company Act 1873 and by the Manchester Sheffield and Lincolnshire Railway Act 1876 respectively should be further extended:

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway and Cheshire Lines Act 1882 for the completion of certain works authorised by the Manchester Sheffield and Lincolnshire Railway Act 1877 should be extended:

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And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (New Works) Act 1881 for the compulsory purchase of lands for the purposes of Railway No. 1 authorised by that Act should be extended:

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway Act 1881 for the compulsory purchase by the Company of certain lands and buildings in the parish of Ordsall in the county of Nottingham should be extended:

And whereas it is expedient that the Company should be empowered to subscribe a further sum of money towards the undertaking of the Wigan Junction Railways Company:

And whereas by a provisional order made under the General Pier and Harbour Act 1861 entitled the Cleethorpes Promenade Pier Order 1867 and confirmed by the Pier and Harbour Orders Confirmation Act 1867 (No. 3) the Cleethorpes Promenade Pier Company were authorised to construct a pier jetty and landing place in the township of Cleethorpes in the parish of Clee in the county of Lincoln and to levy tolls for the use thereof and it is expedient that the Company be enabled to purchase or lease this undertaking by agreement:

And whereas the Company are the owners of extensive docks at Great Grimsby and in addition to the docks used for shipping trade between foreign and other ports they have expended large sums of money in the construction and maintenance of docks specially intended for the use of and which are exclusively used for the fishing trade (herein-after referred to as "the fishing docks") and great inconvenience delay and hindrance are caused to the efficient and convenient working and regulation of the fishing docks and the fishing trade carried on therein by reason of the masters or other person or persons having the command or charge of vessels and smacks using those docks (herein-after referred to as "the masters") refusing or neglecting to remove their vessels or smacks from the fishing docks after having discharged their cargo and being ready for sea and it is expedient that the Company or their harbour or port master may make byelaws requiring the masters of such vessels or smacks to remove their boats or smacks therefrom in the manner herein-after provided:

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

And whereas plans and sections describing the several 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 of the occupiers of lands in the line 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 clerk of the peace for the county of Lancaster the clerk of the peace for the county of Chester the clerk of the peace for the east riding of the county of York the clerk of the peace for the west riding of the county of York the clerk of the peace for the parts of Lindsey in the county of Lincoln the clerk of the peace for the county of Derby and the clerk of the peace for the county of Nottingham which 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 (Additional Powers) Act 1884.

Incorporation of 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 as amended by the Lands Clauses (Umpire) Act 1883:

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 non-payment 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:

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:

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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.

3. In this Act the several words and expressions to which meanings are assigned by the recited Acts or by the recited order or by the Acts wholly or partially incorporated therewith respectively or herewith or rendered applicable thereto or hereto have in this Act the same respective meanings unless the same be varied by this Act or unless there be something in the subject or context repugnant to such construction.

In this Act:

The expression "the pier undertaking" means the pier toll-houses lands buildings water approaches works boats tolls property and effects vested in or belonging to the Cleethorpes Promenade Pier Company or any person for or on their behalf:

The expression "the pier company" means the Cleethorpes Promenade Pier Company:

The expression "the Wigan Company" means the Wigan Junction Railways Company:

And in this Act and for the purposes of this Act in any Act incorporated herewith or rendered applicable hereto 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 make railway and tunnel.

4. Subject to the provisions of this Act the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the driftway or tunnel and railway herein-after described with all proper stations sidings approaches roads works and conveniences connected therewith or incidental thereto and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for that purpose. The driftway or tunnel and railway herein-before referred to and authorised by this Act are:—

A Driftway or Tunnel (No. 1) three miles and five furlongs in length commencing in the parish of Welton in the east riding of the county of York on the south side of the North-eastern Railway and terminating in a field in the parish of South Ferriby in the county of Lincoln belonging or reputed to belong

to Robert Nassau Sutton and in the occupation of Joseph Pocklington.

A railway (distinguished on the deposited plans and sections and in this Act referred to as Railway No. 4) five furlongs seven chains and sixty-five links in length commencing in a detached portion of the parish of Fishlake in the west riding of the county of York by a junction with the railway of the Company (Doncaster and Thorne Branch) and terminating in the parish of Hatfield in the west riding of the county of York by a junction with the branch railway of the Company leading from Doncaster towards Goole and Hull.

Power to make new footpaths and alter and stop up existing footpaths.

5. Subject to the provisions of this Act the Company may make and maintain in accordance with the deposited plans relating thereto and so far as the same are shown on the deposited sections according to the levels shown thereon the new footpaths alterations and stopping up of footpaths and other works herein-after described with all proper works and conveniences connected therewith or incidental thereto and they may exercise the other powers herein-after mentioned and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for that purpose (that is to say) :—

They may stop up and discontinue the portions of footpaths herein-after mentioned (that is to say) :—

So much of a footpath situate in the parish of Ashton-under-Lyne in the county of Lancaster leading from Ashton-under-Lyne to Hooley Hill as lies between a point on that footpath at the north-west end of the footbridge carrying that footpath over the Ashton Canal of the Company and a point where that footpath crosses over a stream at the south-easterly corner of a garden belonging to the Company and in the occupation of James Pollitt and may substitute in lieu thereof a new footpath commencing at the point first herein-before described as the commencement of the portion of footpath intended to be stopped up and terminating at the point herein-before described as the termination of the footpath intended to be stopped up.

So much of a footpath situate in the borough of Stalybridge in the parish of Ashton-under-Lyne in the county of Lancaster leading from Bayley Street to lands and buildings in the occupation of Thomas Bayley and William Bayley and others as lies between the northerly end of the footbridge carrying that footpath over the railway of the Company and the north side of the bridge carrying

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the Lancashire and Yorkshire Railway over that footpath and may substitute in lieu thereof a new footpath commencing at the point herein-before described as the commencement of the portion of the footpath intended to be stopped up and running from that point in a northerly direction across the railway belonging to the Lancashire and Yorkshire Railway Company and terminating at the point described as the termination of the portion of footpath intended to be stopped up.

So much of a certain footpath leading from George Street to Abbey Road in the parish of Great Grimsby in the county of Lincoln as lies between a point on that footpath where it crosses the northerly boundary fence of the railway of the Company and another point where the same footpath crosses the southerly boundary fence of the Great Northern Railway and may substitute in lieu of the footpath which now crosses the said railways on the level a bridge over those railways.

Vesting in Company of footpaths &c. stopped up.

6. When and as soon as the substituted footpaths and bridge respectively shall be opened for traffic all rights of way over and along the respective portions of footpaths by this Act authorised to be stopped up respectively shall cease and be extinguished and the sites thereof respectively so far as the same may be bounded on both sides by lands belonging to the Company shall vest in and belong to the Company.

For the protection of the Ashton-under-Lyne Corporation.

7. In constructing the new footpath intended to be in substitution of the existing footpath in the parish of Ashton-under-Lyne in the county of Lancaster leading from Ashton-under-Lyne to Hooley Hill the following provisions for the protection of the mayor aldermen and burgesses of the borough of Ashton-under-Lyne (hereinafter called the corporation) shall apply and be obligatory upon the Company :—

1. The intended new footpath and footbridge over the railway of the Company shall be constructed in the line and direction shown on the deposited plans and shall be of a uniform width of six feet six inches and shall in all respects be completed to the reasonable satisfaction of the surveyor for the time being of the corporation.
2. The Company will contemporaneously with the construction of the said footbridge also construct in the line and direction shown on a plan already prepared and approved of and signed by John Thomas Earnshaw the surveyor of the corporation and Charles Sacré the engineer-in-chief of the Company a

footpath of the width of six feet six inches between Guide Lane and the steps at the south end of the bridge carrying the intended new footpath above mentioned over the railway of the Company and they will also properly fence off with a brick or stone wall of six feet high so much of the said footpath as is shown on the said plan between the points A and B and will also fence off with a like fence of the height of seven feet that portion of the said footpath which is shown on the said plan as between the points B and C.

3. The Company shall and will at all times hereafter maintain and keep the intended new bridge and footpaths in good repair and condition and properly lighted to the reasonable satisfaction of the corporation.

4. If any differences shall arise between the Company and the corporation as to the true intent and meaning of this enactment or the mode of giving effect thereto the matter in dispute shall from time to time be determined by a sole arbitrator to be appointed by the corporation and the Company or failing agreement as to the person to be so appointed then by an arbitrator to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers.

For the protection of the corporation of Stalybridge.

8. Notwithstanding anything in this Act or the deposited plans contained the Company shall not under the authority of this Act take use or interfere with any part of Bayley Street in the parish of Ashton-under-Lyne.

Land for extraordinary purposes.

9. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed two acres.

Imposing penalty unless railway opened within time limited.

10. If the Company fail within the period limited by this Act to complete the railway authorised by this Act the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the works of the railway and the said penalty may be applied for by any landowner or other person claiming to be compensated in respect of the railway in accordance with the provisions of the next following section of this Act or by the Solicitor of Her Majesty's Treasury 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 as aforesaid

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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 Her Majesty's Paymaster-General on behalf of the Chancery Division of the High Court of Justice in England in the bank specified in such warrant or order and shall not be paid thereout except as herein-after 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 Company was prevented from completing or opening the railway 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.

Providing for application of penalty.

11. 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 has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property for the purposes of the railway conferred upon the Company and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the said Division if the Company is insolvent or has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Power to acquire lands for general purposes.

12. Subject to the provisions of this Act the Company in addition to the other lands which they are by this Act authorised to acquire may from time to time enter upon take use and appropriate to the

purposes of their undertaking all or any of the lands and buildings following 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 Manchester in the county of Lancaster lying and abutting on the southerly side of the main line of the Company on the easterly side of and adjoining the works of Messrs. Galloway and lying between the said main line of railway and a certain highway called Hyde Road:

Certain other lands situate in the parish of Manchester in the county of Lancaster lying and abutting on the northerly side of the railway of the Company and on the easterly side of Clayton Lane South :

Certain other lands houses and buildings situate in the parish of Wigan in the county of Lancaster lying between Crompton Street School Lane Scholes Street and the River Douglas :

Certain other lands houses and buildings situate in the township of Altrincham in the parish of Bowdon in the county of Chester belonging or reputed to belong to Edward Ross lying and abutting on the easterly side of the Manchester South Junction and Altrincham Railway and adjoining the site of the old Altrincham Station on that railway :

Certain other lands houses and buildings situate in the parish of Chapel-en-le-Frith in the county of Derby lying and abutting on the southerly side of the tramway belonging to the Company leading from Bugsworth to Chapel-en-le-Frith and on the easterly side of a stone quarry there belonging to the Company : Certain other lands houses and buildings situate in the said parish of Chapel-en-le-Frith lying and abutting on the easterly and westerly sides of a tunnel of the tramway leading from Bugsworth to the stone quarry belonging to the Company and on the northerly side of a road leading from Barren Clough to Hollinwood :

Certain other lands houses and buildings situate in the said parish of Chapel-en-le-Frith bounded on the north by a tramway belonging to the Company leading from Bugsworth to Chapel-en-le-Frith on the south and west by lands belonging or reputed to belong to Sir Edward William Watkin Baronet and Edward Ross and on the east by land belonging to William Ford :

Certain other lands houses and buildings situate in the parish of Althorpe in the county of Lincoln lying and abutting on the westerly side of the River Trent and on the northerly side of the South Yorkshire Hotel and on the easterly and southerly sides by lands and buildings belonging to the Company :

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Certain other lands houses and buildings situate in the said parish of Althorpe lying and abutting on the northerly side of the North Soak Drain and on the westerly side by lands belonging to the Company:

Certain other lands houses and buildings situate in the parish of Great Grimsby in the county of Lincoln lying and abutting upon the easterly and westerly sides of a certain footpath which crosses the railway of the Company and the railway of the Great Northern Railway Company on the level and known as the Peppercorn Crossing and on the north and south sides of those railways:

Certain other lands houses and buildings situate in the parish of Sheffield in the west riding of the county of York belonging or reputed to belong to the Duke of Norfolk lying and abutting on the westerly side of the main line of the Company and adjoining at the south end thereof lands belonging or reputed to belong to or in the occupation of the Sheffield United Gas Company.

For the protection of the corporation of Manchester.

13. Notwithstanding anything in this Act or in the deposited plans and sections to the contrary it shall not be lawful for the Company to in any way interfere with either temporarily or permanently Wellington Street and Bennett Street in the city of Manchester.

For the protection of the London and North-western Railway Company.

14. In acquiring the lands houses and buildings shown on the deposited plans and in this Act described as situate in the parish of Manchester in the county of Lancaster lying and abutting on the southerly side of the main line of the Company and on the easterly side of and adjoining the works of Messrs. Galloway and lying between the main line of railway and a certain highway called Hyde Road on through or over which lands or some part thereof the railway of the London and North-western Company (hereinafter called the North-western Company) is carried by means of a viaduct notwithstanding anything in this Act contained it shall not be lawful for the Company to take use enter upon or interfere with the railway works lands and property of the North-western Company nor shall this Act in any way prejudice affect or interfere with any of the rights easements privileges or advantages now belonging to that company for the use and maintenance of their railway and works through or over those lands or any part or parts thereof.

For the purposes of the maintenance of the said viaduct the Company shall allow the North-western Company access to the said

lands for a width of six feet on each side of the said viaduct outside the piers thereof subject to such regulations as shall be agreed upon between the engineer of the Company and the engineer of the North-western Company or as shall failing agreement be settled by arbitration in manner herein-after mentioned the North-western Company making good all damage which shall be occasioned by the exercise of such right of access.

All questions and differences which may at any time arise between the Company and the North-western Company as to the construction or effect performance observance non-performance or non-observance of any of the foregoing provisions or any matters connected therewith or consequent thereon shall be determined by an engineer to be appointed by the engineers for the time being of the Company and the North-western Company or if for twenty-eight days after the question or difference arise the two engineers do not agree upon an arbitrator then by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers upon the application in writing of both or either of the said engineers and the decision of every such arbitrator shall be binding and conclusive upon both the parties in difference and the costs of the arbitration shall be in his absolute discretion.

Power to take easements, &c. by agreement.

15. 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 the Company 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 Acts 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.

Railway as to tolls and otherwise to form part of the Company's undertaking.

16. The Company may demand and receive for and in respect of the railway hereby authorised the same tolls and charges as they are empowered to receive in respect of their existing undertaking and that railway shall in all respects be deemed part of the undertaking of the Company.

Power to apply corporate funds.

17. The Company may apply for the purposes of this Act to which capital is properly applicable any money which they are for the time being authorised to raise independently of this Act and which is not required for the purposes for which the same was authorised to be raised.

Power to raise additional share capital.

18. In addition to such share capital as the Company are for the time being independently of this Act authorised to raise they

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may from time to time raise such additional capital as they think requisite for the purpose of this Act not exceeding the sum of two hundred and fifty thousand pounds and for the general purposes of their undertaking a further sum not exceeding one hundred thousand pounds.

Mode of raising additional share capital.

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

New shares or stock to be subject to the same incidents as other shares or stock.

20. Subject to the provisions of this Act the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be entitled and subject to the same powers rights privileges liabilities and incidents in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital.

No share to be issued until one-fifth part paid.

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

Power to borrow.

22. The Company may in respect of the additional capital of three hundred and fifty thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of their undertaking any sum not exceeding in the whole one hundred and sixteen thousand pounds but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted and one half of such capital 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 so much of such capital as is to be raised by shares 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 such 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 bonâ fide 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 shares that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and 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 has been given which certificate shall be sufficient evidence thereof.

Existing mortgages to have priority.

23. All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the time of the passing hereof shall during the continuance of such mortgages and bonds and subject to the provisions of the Acts under which such mortgages and bonds were respectively granted have priority over any mortgages to be 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.

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

24. 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 a receiver.

25. The mortgagees of the Company may enforce payment 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 debenture stock.

26. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein 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 moneys.

27. All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied for the purposes of this Act and the general purposes of the Company being in every case purposes to which capital is properly applicable.

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Period for compulsory purchase of lands.

28. The powers of the Company 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.

Period for completion of works.

29. The works authorised by this Act shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Company for executing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall be then completed.

Extension of time for completion of certain works authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1866.

30. The time limited by the Manchester Sheffield and Lincolnshire Railway Act 1881 for the completion of the widening and improvement of the main line of the Company authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1866 is hereby extended for a period of three years from the fourteenth day of June one thousand eight hundred and eighty-four.

Extension of time for completion of certain works authorised by the Manchester Sheffield and Lincolnshire Railway Company (Additional Powers) Act 1872.

31. The time limited by the Manchester Sheffield and Lincolnshire Railway Act 1881 for the completion of Railway No. 1 and the new street and road authorised by the Manchester Sheffield and Lincolnshire Railway Company (Additional Powers) Act 1872 is hereby extended for a period of three years from the fourteenth day of June one thousand eight hundred and eighty-four.

Extension of time for completion of Railway No. 1 authorised by the Manchester Sheffield and Lincolnshire Railway Company Act 1873.

32. The time limited by the Manchester Sheffield and Lincolnshire Railway Act 1881 for the completion of Railway No. 1 authorised by the Manchester Sheffield and Lincolnshire Railway Company Act 1873 is hereby extended for a period of three years from the fourteenth day of June one thousand eight hundred and eighty-four.

Extension of time for completion of certain works authorised by the Manchester Sheffield and Lincolnshire Railway Act 1876.

33. The time limited by the Manchester Sheffield and Lincolnshire Railway Act 1881 for the completion of the widening and improvement of the existing bridge carrying the main line of the railway of the Company over Douglas Road in the parish of Sheffield authorised by the Manchester Sheffield and Lincolnshire Railway Act 1876 is hereby extended for a period of three years from the twenty-fourth day of July one thousand eight hundred and eighty-four.

Extension of time for certain works authorised by the Manchester Sheffield and Lincolnshire Railway Act 1877.

34. The time limited by the Manchester Sheffield and Lincolnshire Railway and Cheshire Lines Act 1882 for the completion of the works described in sub-sections 1 and 2 of section 4 of the Manchester Sheffield and Lincolnshire Railway Act 1877 is hereby extended for a period of three years from the twenty-eighth day of June one thousand eight hundred and eighty-five.

Powers not to be exercised after extended periods.

35. If the railways and works respectively mentioned in the last five preceding sections shall not be completed within the extended periods respectively by this Act limited then on the expiration of those periods respectively the powers by the several and respective Acts mentioned in those sections and by this Act granted to the Company for completing the respective railways and works or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Extension of time for purchase of certain lands under the Manchester Sheffield and Lincolnshire Railway (New Works) Act 1881.

36. The powers granted to the Company by the Manchester Sheffield and Lincolnshire Railway (New Works) Act 1881 for the compulsory purchase of land and buildings for the purposes of Railway No. 1 by that Act authorised is hereby extended and may be exercised by the Company for and during a period of two years from the eighteenth day of July one thousand eight hundred and eighty-four and on the expiration of that period those powers shall cease.

Extension of time for purchase of certain lands under the Manchester Sheffield and Lincolnshire Railway Act 1881.

37. The powers granted to the Company by the Manchester Sheffield and Lincolnshire Railway Act 1881 for the compulsory purchase of lands for the purposes of that Act so far as they relate to or affect lands or buildings in the parish of Ordsall in the county of Nottingham are hereby extended and may be exercised by the Company for and during a period of two years from the eighth day of April one thousand eight hundred and eighty-four and on the expiration of that period those powers shall cease.

Power to Company to subscribe to undertaking of the Wigan Junction Railways Company.

38. The Company may with the authority of three-fourths of the votes of their shareholders present in person or by proxy at a general meeting of the Company specially convened for that purpose from time to time subscribe in addition to any money they are already authorised to subscribe any sums which they may think fit towards the undertaking of the Wigan Junction Railways Company not exceeding in the whole one hundred thousand pounds and the Company may with the like authority contribute and apply in payment of their subscription any of the moneys which they now have in their hands or which they have power to raise by virtue of any Act relating to the Company and which may not be required for the purposes to which such moneys are by any such Act made specially applicable.

Power to sell and purchase or lease pier undertaking.

39. The pier company with the sanction of three-fourths of the votes of the shareholders present personally or by proxy at a general meeting specially convened for the purpose may sell and transfer or lease to the Company and the Company with the like sanction of the votes of three-fourths of their respective shareholders present

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personally or by proxy at a general meeting specially convened for the purpose may purchase or lease and accept the pier undertaking for such price or consideration or at such rent and upon such terms and conditions as may be mutually agreed upon and at the time agreed on for the transfer or lease to take effect the pier undertaking shall according to the terms conditions and intent of the agreement for such transfer or lease be by this Act subject to the provisions of the Cleethorpes Promenade Pier Order 1867 transferred and vested or leased in or to the Company together with all the rights powers authorities and privileges of the pier company in relation to the pier undertaking except powers relating to the constitution or capital of the pier company or the management thereof by the directors: Provided always that within three months from the vesting of the pier undertaking in the Company either by sale or lease the Company shall produce to the Commissioners of Inland Revenue a deed duly stamped in which the purchase money or consideration for the sale to the Company or the rent or other consideration payable by them to the lessors shall be fully and truly set forth and in default of such production the ad valorem stamp duty with interest thereon at the rate of five pounds per centum per annum from the date of sale or lease to the date of payment shall be recoverable from the Company with full costs of suit and all costs and charges attending the same.

Power to make byelaws as to docks, &c. at Grimsby.

40. In addition to the byelaws which under the provisions with respect to byelaws to be made by the undertakers of the Harbours Docks and Piers Clauses Act 1847 the Company are authorised to make they may from time to time make alter and rescind byelaws for the regulation of their docks and other works at Grimsby in the county of Lincoln for all or any of the following purposes (that is to say):—

To direct and require the master of any fishing boat or smack using or discharging any cargo of fish in the fishing docks to leave the fishing docks and remove his boat or vessel therefrom immediately after the cargo of fish in such vessel or smack has been discharged and when in the reasonable opinion of the harbour or port master of the Company such vessel or smack is ready to go to sea and to make any master not acting in conformity with such byelaw after having a copy thereof delivered to him liable to a penalty not exceeding ten pounds for each offence to be recovered in a summary manner as provided with respect to the recovery of penalties incurred under the provisions of the Railways Clauses Consolidation Act 1845 and as if the penalty had been incurred under that Act.

Owners may be required to sell part only of certain buildings.

41. And whereas in the construction of the railways and works authorised by or otherwise in exercise of the powers of the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 (herein-after referred to as the Act of 1883) it may happen that a portion or portions only of certain of the houses buildings or manufactories shown on the deposited plans referred to in that Act may be sufficient for the purposes of the same and that such portion or portions may be severed from the remainder of the property without any material detriment thereto: Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the houses buildings or manufactories described in the schedule to this Act annexed and whereof a portion or portions only are required for the purposes of the Act of 1883 may (if such portion or portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto) be required to sell and convey to the Company the portion or portions only of the premises so required without the Company being obliged or compelled to purchase the whole or any greater portion thereof the Company paying for the portion or portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

Saving rights of the Crown.

42. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description vested in or belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Her Majesty's Woods Forests and Land Revenues or either of them without the consent in writing of the same commissioners or one of them on behalf of Her Majesty first had and obtained for that purpose (which consent such commissioners are hereby respectively authorised to give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Interest not to be paid on calls paid up.

43. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise 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

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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.

44. 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.

Provisions as to general Railway Acts.

45. 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 this Act.

Costs of Act.

46. 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.

The SCHEDULE.

Number of Railway in Act of 1883.	Parish.	Number on deposited Plans referred to in the Act of 1883.
Railway No. 1 -	Wigan - - -	154

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