CHAPTER lxxxv.

An Act to authorise the Manchester Sheffield and Lincolnshire Railway Company to run Steam and other Vessels between Great Grimsby and certain Foreign Ports. A.D. 1889.

[26th July 1889.]

WHEREAS it would be of advantage to the public as well as to the Manchester Sheffield and Lincolnshire Railway Company (herein-after referred to as the Company) if the provisions of the Manchester Sheffield and Lincolnshire Railway (Steamboats) Act 1864 were extended so as to enable the Company to run steam and other vessels between Great Grimsby and Ghent, Amsterdam, Bremerhaven, in the North Sea; Stettin, Danzig, Riga, and Gefle, in the Baltic; Malmo, Gothenburg, Fredrikstad, Christiania, Drammen, Holmstrand, Arendal, Christiansand, Stavanger, Bergen, Drontheim, in Sweden and Norway; and Esbjerg and Frederikshavn, in Denmark, or some of them, and it is expedient that the Company should be authorised to establish and use steam and other vessels accordingly and should have other powers in reference thereto:

And whereas it is expedient that the Company should be authorised for that purpose to raise further sums of money by the creation of shares or stock in their undertaking and by mortgage:

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and of the Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. In citing this Act for any purpose it shall be sufficient to describe it as the Manchester Sheffield and Lincolnshire Railway (Steamboats) Act 1889.

Incorporation of Acts.

2. The clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to the distribution of the capital of the

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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 by all parties interested and Part IV. of the Railways Clauses Act 1863 relating to steam vessels and Parts I. II. and III. of the Companies Clauses Act 1863 relating respectively to the cancellation and surrender of shares to additional capital and to debenture stock shall be incorporated with and form part of this Act.

Power to Company to provide and use steam and other vessels.

3. The Company from time to time may build or buy or hire and may use maintain and work or enter into arrangements for using maintaining or working steam and other vessels for the purpose of carrying on a convenient and efficient communication by means thereof between the town or port of Great Grimsby and the towns or ports of Ghent, Amsterdam, Bremerhaven, in the North Sea; Stettin, Danzig, Riga, and Gefle, in the Baltic; Malmo, Gothenburg, Fredrikstad, Christiania, Drammen, Holmstrand, Arendal, Christiansand, Stavanger, Bergen, Drontheim, in Sweden and Norway; and Esbjerg and Frederikshavn, in Denmark, or some of them, and may take such reasonable tolls rates and charges in respect of such steam and other vessels as they shall think fit: Provided that the charges to be made by the Company for the conveyance of passengers in such steam vessels between the points of embarkation and disembarkation shall not exceed the charges set forth in the schedule to this Act: Provided further that such of the powers herein conferred upon the Company as shall not have been exercised within the period of five years from the first day of January one thousand eight hundred and ninety shall upon the expiration of that period lapse and determine.

Rates for passengers.

Regulating fares and charges for passengers and traffic carried by land and sea.

4. If under the powers of this Act or of any agreement thereunder the Company become carriers of passengers or traffic by railway and by sea at one through rate or charge for the whole distance or at one through rate or charge for the sea route and any part of the railway route on either side thereof or both then the Company shall publish a monthly list of fares and charges showing the amount of such through rate or charge and also the portion thereof which is attributed to the sea route used by such passengers or traffic and the portion thereof which is attributed to the railway

route on either side thereof respectively: And if under the powers of this Act or of any agreement thereunder the Company become carriers of passengers or traffic by sea without such through rate as aforesaid they shall publish a monthly list of fares and charges charged by them in respect of such passengers or traffic by sea and during the month for which any such list of fares and charges as aforesaid shall be published no other fares or charges shall be taken in respect of the class of passengers or traffic to which such list of fares and charges applies and any other company conveying passengers or traffic by railway to the ports of departure and arrival on such route shall be entitled to have such passengers and traffic carried over the sea route between the same ports at the rate attributed to passengers or traffic in such published list of fares and charges conveyed over the same sea route and any company or person conveying passengers or traffic over the sea route between the same ports shall be entitled to have such passengers and traffic carried over the railway route between the same common points at the rate attributed to such railway route in the said published list of fares and charges and all passengers and traffic conveyed over the sea route only or over the railway route (on either side) only shall be entitled to the same privileges and advantages and to be forwarded by the same trains and vessels without detention or delay as the same classes of passengers and traffic conveyed at the same rate of fare or charge over the whole of the railway and sea routes are entitled to according to any published list of fares and charges or train or steamboat time-tables.

Passengers luggage.

5. Every first-class passenger conveyed by any steam or other vessel of the Company or partly by a vessel of the Company and partly by the railway of the Company may take with him without extra charge his ordinary luggage not exceeding one hundred and twenty pounds in weight and every second-class passenger not exceeding one hundred pounds in weight and every third-class passenger not exceeding sixty pounds in weight.

Power to apply corporate funds to purposes of Act.

6. The Company may apply for the purposes of this Act to which capital is properly applicable any moneys which they now have in their hands or which they have power to raise by shares or mortgage and which may not be required for the purposes for which the same were authorised to be raised.

Power for the Company to raise additional capital.

7. In addition to such share capital as the Company now are or by any other Act of the present session of Parliament may be authorised to raise they may from time to time raise such additional

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capital as they think requisite for the purposes of this Act not exceeding the sum of one hundred thousand pounds.

Mode of raising additional share capital.

8. The additional share capital by this Act authorised to be raised by the Company shall be raised by the issue of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively as the Company from time to time think fit.

Shares not to be issued till one-fifth part thereof shall have been paid.

9. The Company shall not issue any share created under the authority of this Act of less nominal value than ten pounds 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 of the amount of such share shall have been paid in respect thereof.

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

10. 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 subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever 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.

Receipt clause in case of persons not sui juris.

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

Power to borrow.

12. The Company may in respect of the additional capital 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 thirty-three thousand three hundred pounds but no part thereof shall be borrowed until shares for so much of said additional capital as is to be raised by means of shares are issued and accepted and one half of such portion of 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 so far as the said additional capital is raised by shares that such persons or corporations 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.

13. All mortgages or 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 passing hereof shall during the continuance of such mortgages and bonds and subject to the provisions of the Acts under which those mortgages and bonds were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section 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.

14. 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.

15. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of 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.

16. 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.

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Application of moneys.

17. All moneys which the Company may raise under the powers of 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.

Interest not to be paid on calls paid up.

18. No interest or dividend shall be paid out of any share 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 any 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.

19. 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.

Provision as to general Railway Acts.

20. Nothing in this Act contained shall exempt the railways of 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.

Costs of Act.

21. 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.

SCHEDULE OF RATES FOR PASSENGERS.

	1st Class.			2nd Class.			3rd Class.		
	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
Between Great Grimsby and Ghent -	0	15	0	0	10	0	0	7	6
" " Amsterdam -	1	0	0	0	12	6	0	7	6
" " Bremerhaven -	1	10	0	1	0	0	0	10	0
" " Stettin -	3	3	0	2	2	0	1	0	0
" " Danzig -	3	3	0	2	2	0	1	0	0
" " Riga -	5	5	0	3	3	0	2	0	0
" " Gefle -	4	0	0	2	13	4	1	5	0
" " Malmo -	3	3	0	2	2	0	1	0	0
" " Gothenburg -	3	3	0	2	2	0	1	0	0
" " Fredrikstad -	4	0	0	2	13	4	1	5	0
" " Christiania -	4	0	0	2	13	4	1	5	0
" " Drammen -	4	0	0	2	13	4	1	5	0
" " Holmstrand -	4	0	0	2	13	4	1	5	0
" " Arendal -	4	0	0	2	13	4	1	5	0
" " Christiansand	4	0	0	2	13	4	1	5	0
" " Stavanger -	4	0	0	2	13	4	1	5	0
" " Bergen -	4	0	0	2	13	4	1	5	0
" " Drontheim -	6	0	0	3	10	0	2	0	0
" " Esbjerg -	1	10	0	1	0	0	0	10	0
" " Frederikshavn	2	10	0	1	10	0	0	17	6

Printed by Eyre and Spottiswoode,
FOR
T. Digby Pigott, Esq., the Queen's Printer of Acts of Parliament.

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