ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. cxxxviii.

An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Branch Railway from the *Market Rasen and Lincoln* Line of their Railway, in the Parish of *Stainton-by-Langworth,* to the Town of *Wragby* in the County of *Lincoln.* [9th *July* 1847.]

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to amalgamate the* Sheffield, Ashton-under-Lyne, and Manchester *Railway Company, the* Sheffield and Lincolnshire Junction, *the* Sheffield and Lincolnshire Extension, *and the* Great Grimsby and Sheffield *Railway Companies, and the* Grimsby *Dock Company:* And whereas the Portion of the *Manchester, Sheffield, and Lincolnshire* Railway heretofore called the *Great Grimsby and Sheffield Junction* Railway is now in the course of Construction, by virtue of an Act passed in the Eighth Year of the Reign of Her present Majesty, and of several Acts passed in the last Session of Parliament: And whereas it is expedient that the Company incorporated by such first-mentioned Act should be empowered to make a Branch Railway from the *Market Rasen* Extension to *Lincoln* of the *Great Grimsby and Sheffield Junction* Railway to the

9 & 10 Vict. c. 268.

Town of *Wragby* in the County of *Lincoln:* And whereas it is expedient that some of the Provisions of the said Acts should be amended and enlarged; but the Purposes aforesaid cannot be effected without the Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Provisions, Matters, and Things contained in the said Acts, except such as are altered or otherwise provided for by this Act, and all the Provisions, Matters, and Things contained in the Companies Clauses Consolidation Act, 1845, the Lands Clauses Consolidation Act, 1845, and the Railway Clauses Consolidation Act, 1845, except such of them as are by this Act or the said recited Acts repealed, altered, or otherwise provided for, shall extend to this Act, and to the several Purposes and Things hereby authorized to be done, as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act in reference to such Purposes and Things.

Powers of recited Act and 8 & 9 Vict. cc. 16., 18., and 20. extended to this Act.

Branch Railways to be made according to deposited Plans

II. And whereas Plans and Sections of the said Branch Railways showing the Line and Levels thereof, and also Books of Reference thereto, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which the same are intended to pass, have been deposited with the Clerk of the Peace for the Parts of *Lindsey* in the County of *Lincoln;* be it enacted, That, subject to the Provisions in this Act and the Lands Clauses Consolidation Act, 1845, and the Railways Clauses Consolidation Act, 1845, contained, and to the Powers of Deviation contained in the said last-mentioned Act, it shall be lawful for the Company to make and maintain the said Branch Railway and Works connected therewith, and which is herein-after particularly described, in the Line and upon the Lands delineated on the said Plans, and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of Branch Railway.

III. And be it enacted, That it shall be lawful for the Company to make the following Branch Railway; that is to say, a Branch Railway commencing by a Junction with the Extension to *Lincoln* from the *Market Rasen* Branch of that Part of the *Manchester, Sheffield, and Lincolnshire* Railways which is heretofore called the *Great Grimsby and Sheffield* Junction Railway, as authorized to be made by an Act passed in the last Session of Parliament at or near a certain Field in the Parish of *Stainton-by-Langworth* with *Reasby* and *Newball*, in the Parts of *Lindsey* in the County of *Lincoln*, numbered 36 on the Plans of the said Extension referred to in the said Act, passing thence from, in, through, or into the several Parishes, Townships, and Extra-parochial Places of *Stainton-by-Langworth* with *Reasby* and *Newball*, *Stainton-by-Langworth-Stainton*, *Reasby*, *Keresby*, *Stainton Wood*, *Newbold*, *Newball*, *Fulnetby*, *Bullington*, *Goltho*, *Goltho-cum-Bullington*, *Rand*, *Rand-cum-Fulnetby*, and *Wragby*, all in the Parts of *Lindsey* in the County of *Lincoln*, or some of them, and terminating

nating at or near the Town of *Wragby* in the Parish of *Wragby* in the Parts of *Lindsey* in the County of *Lincoln* aforesaid between the Roads numbered 12 and 33 on the deposited Plans.

Power to cross certain Roads on the Level.

IV. And be it enacted, That the following Turnpike and Public Carriage Roads may be crossed on a Level, such Roads being described on the deposited Plans by the Numbers herein-after mentioned, (that is to say,) 12 in the Parish of *Wragby*, and 13 in the Township and Parish of *Rand*.

Company to erect a Station or Lodge at the Point of crossing, and to abide by the Regulations of the Commissioners of Railways.

V. And be it enacted, That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the Railway shall cross on the Level either of the before-mentioned Roads; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Time maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Period for compulsory Purchase of Lands.

VI. And be it enacted, That 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.

VII. And be it enacted, That the said Branch Railway shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing such Branch Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Branch Railway as shall then be completed.

Power to raise additional Money by Creation of new Shares.

VIII. And whereas the estimated Expence of making the said Branch Railway and Works is Sixty thousand Pounds; be it enacted, That it shall be lawful for the Company to raise by the Creation of new Shares in the said Company, in addition to the Sum of Money which they are at the Time of the passing of the Act authorized to raise, any further Sum of Money not exceeding in the whole Sixty thousand Pounds.

New Shares to be considered same as original Shares.

IX. And be it enacted, That the said Sum of Sixty thousand Pounds may be raised by the Creation of new Shares of such Amount and upon such Terms and Conditions as shall be directed by any Ordinary or Extraordinary Meeting of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital, except as to

to the Amount of such Shares and the Times of making Calls for such additional Capital, and the Amount of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit.

Power to borrow Money on Mortgage.

X. And be it enacted, That after the whole of the Capital by this and the recited Act authorized to be created shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Twenty thousand Pounds.

Mortgages and Transfers, &c. to be stamped.

XI. And be it enacted, That every Mortgage, Bond, or other Security for Money, and every Transfer of any Share, Stock, Mortgage, Bond, or other Security for Money, to be granted or made by virtue of the said Acts or this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be truly stated, any thing herein or in the said Acts contained to the contrary notwithstanding.

Priority of former Mortgages.

XII. And be it enacted, That all Mortgages or Bonds for Money raised by virtue of the recited Act, or by any Act passed previously to this Act, shall take priority over any Mortgage or Bond by this Act authorized to be granted.

Same Tolls to be taken as on Main Line.

XIII. And be it enacted, That it shall be lawful for the Company, except as herein-after specified, to demand and receive for and in respect of the said Branch Railway the same Tolls and Charges as they are by the said first-recited Act authorized to demand and receive for and in respect of the Railway and Branch Railways by such Act authorized to be constructed or maintained by the said Company.

Maximum Charges.

XIV. Provided always, and be it enacted, That the maximum Tolls and Charges to be made by the Company in respect of the said Branch Railway shall in no Case exceed the maximum Tolls and Charges authorized by the said first-recited Act.

Interest not to be paid on Calls paid up.

XV. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

Deposits for future Bills not to be paid out of Company's Capital.

XVI. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which

which by any Standing Order of either House of Parliament now in force or hereafter to be in force may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Railway Company to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. & 105.

XVII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two Acts were passed in the last Session of Parliament, intituled respectively *An Act for regulating the Gauge of Railways*, and *An Act for constituting Commissioners of Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the said Branch Railway or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force with respect to the said Branch Railway and Company so far as the same shall be applicable thereto.

Railway to be subject to Provisions of any future general Act.

XVIII. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Railway by this Act or the said recited Acts authorized to be made from the Provisions of any general Act relating to this Act, or of any general Act relating to Railways, which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by the recited Acts or this Act.

Saving the Rights of the Crown.

XIX. And be it enacted, That nothing contained in this Act or in the Acts herein recited or referred to shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners, or any Two of them, are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Expences of Act.

XX. And be it enacted, That all the Costs, Charges, and Expences of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged out of the Funds of the Company, in preference to all other Payments whatsoever.

Interpretation of Act. XXI. And be it enacted, That the Term "the Company" in this Act shall mean the *Manchester, Sheffield, and Lincolnshire* Railway Company.

Short Title. XXII. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to describe it as "The *Manchester, Sheffield, and Lincolnshire* Railways (*Wragby* Branch) Act, 1847."

Public Act. XXIII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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