ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. ccxxxii.

An Act for making certain Lines of Railway in the County of *Lancaster*, to be called "The *Oldham Alliance* Railway." [22d *July* 1847.]

WHEREAS the making of the Railways herein-after mentioned would be of great public Advantage: And whereas the Persons herein-after named, together with other Persons, are willing, at their own Expence, to carry the Undertaking into execution: And whereas it is expedient that the *Manchester and Leeds* Railway Company should be authorized to subscribe towards the Undertaking, and that the Company incorporated by this Act and the said *Manchester and Leeds* Railway Company should be amalgamated in manner herein-after set forth; but the same 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 "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, save as to such Parts thereof as may be modified by or inconsistent with the Provisions of this Act. 8 & 9 Vict. cc. 16, 18, and 20. incorporated with this Act.

Short Title.

II. And be it enacted, That in citing or referring to this Act in other Acts of Parliament, and in legal Instruments, Parliamentary Notices, and other Proceedings or Documents, it shall be sufficient to use the Expression "The *Oldham Alliance* Railway Act, 1847."

Subscribers incorporated.

III. And be it enacted, That *Henry Houldsworth, Edward Abbott Wright, Thomas Mallinson, George Wilson, John Smith, Thomas Broadbent, Joshua Milne, James Potter, Richard Redfern, Jonathan Mellor* the younger, *William Jones, Nathan Worthington, Alexander Taylor, George Emmott,* and *William Byrom,* and all other Persons and all Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railways herein-after mentioned, with proper Works and Conveniences belonging thereto, according to the Provisions of the Acts incorporated herewith and of this Act, and for other the Purposes herein and in the said Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Oldham Alliance* Railway Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

IV. And whereas the estimated Expence of making the said Railways is Four hundred and fifty thousand Pounds; be it enacted, That the Capital of the Company shall be Four hundred and fifty thousand Pounds.

Number and Amount of Shares.

V. And be it enacted, That the Number of Shares into which the said Capital shall be divided shall be Twenty-two thousand five hundred, and the Amount of each Share shall be Twenty Pounds.

Calls.

VI. And be it enacted, That Two Pounds Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls.

Interest not to be paid on Calls paid up.

VII. And be it enacted, That it shall not be lawful for the 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 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

VIII. And be it enacted, That it shall not be lawful for the 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 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 Company to construct any other Railway or execute any other Work or Undertaking. the Company's Capital.

IX. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of One hundred and fifty thousand Pounds; but no Part of such Sum shall be borrowed until the whole of the said Capital of Four hundred and fifty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up. Power to borrow Money on Mortgage.

X. And be it enacted, That it shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver in the event of the Principal Money due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Fifty thousand Pounds in the whole. Arrears may be enforced by Appointment of a Receiver.

XI. And be it enacted, That the Number of Directors of the Company shall be Fifteen, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking. Number and Qualification of Directors.

XII. And be it enacted, That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the Second Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in the Companies Clauses Consolidation Act, 1845, contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by the said Companies Clauses Consolidation Act, 1845. Election of Directors.

XIII. And be it enacted, That it shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number of Directors be not less than Six. Power to reduce the Number of Directors.

XIV. And be it enacted, That *Henry Houldsworth*, *Edward Abbott Wright*, *Thomas Mallinson*, *George Wilson*, *John Smith*, *Thomas Broadbent*, *Joshua Milne*, *James Potter*, *Richard Redfern*, *Jonathan Mellor* the younger, *William Jones*, *Nathan Worthington*, *Alexander Taylor*, *George Emmott*, and *William Byrom* shall be the first Directors of the Company. First Directors.

XV. And

Railways to be made according to deposited Plans.

XV. And whereas Plans and Sections of the intended Railways, showing the Lines 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, or which may be required to be taken for the Purposes of the Undertaking, have been deposited with the Clerk of the Peace for the County of *Lancaster*; be it enacted, That, subject to the Provisions in this Act and the Acts incorporated herewith contained, it shall be lawful for the Company to make and maintain the said Railways and Works in the Lines and on the Levels defined on the said Sections, and upon the Lands delineated on the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Lines of Railway.

XVI. And be it enacted, That the Railways to be made under the Authority of this Act shall be the following; (that is to say,)

First Line.

First, a Railway to commence by a Junction with the proposed *Mumps* Extension of the *Oldham* Branch of the *Manchester and Leeds* Railway in a certain Close or Parcel of Land belonging or reputed to belong to the Right Honourable Earl *Howe*, and now in the Occupation of *Thomas Taylor*, or his Under-tenant *Abraham Clegg*, and which said Close is situate on the Southerly Side of a certain Mill belonging to the said *Abraham Clegg* at *Mumps* in the Township of *Oldham* in the Parish of *Prestwich* otherwise *Prestwich-cum-Oldham* in the County of *Lancaster*, and to terminate at and by a Junction with the *Ashton, Stalybridge, and Liverpool Juuction* Railway at the Passenger Station of such Railway in the Town of *Ashton-under-Lyne* in *Ashton* Town Division in the Parish of *Ashton-under-Lyne* in the County of *Lancaster*:

Second Line.

And, secondly, another Railway to commence from and out of the said *Ashton, Stalybridge, and Liverpool Junction* Railway near to where the said last-mentioned Railway crosses the Turnpike Road from *Ashton-under-Lyne* to *Oldham* near the said Town of *Ashton-under-Lyne* in *Ashton* Town Division in the Parish of *Ashton-under-Lyne* in the said County of *Lancaster*, and to terminate at and by a Junction with the intended Branch of the *Manchester and Birmingham* Railway from *Stockport* to *Guide Bridge* in a certain Close now in the Occupation of *James Schofield*, near to a Farmhouse called *Stelfox Fold*, near *Guide Bridge* in the Parish of *Ashton-under-Lyne* in the said County of *Lancaster*:

Third Line.

And, thirdly, another Railway to commence from and out of the said *Mumps* Extension of the *Oldham* Branch of the said *Manchester and Leeds* Railway in the said Close or Parcel of Land belonging or reputed to belong to the Right Honourable Earl *Howe*, and now in the Occupation of the said *Thomas Taylor*, or his Under-tenant *Abraham Clegg*, and which said Close is situated on the Southerly Side of a certain Mill belonging to the said *Abraham Clegg* at *Mumps* in the Township of *Oldham* in the Parish of *Prestwich* otherwise *Prestwich-cum-Oldham* in the County of *Lancaster*, and to terminate by a Junction with the

the said *Manchester and Leeds* Railway about One Furlong to the North-east of the *Rochdale* Station of the said Railway in the Township of *Castleton* in the Parish of *Rochdale* in the said County of *Lancaster*:

Fourth Line.

And, fourthly, another Railway from and out of the *Oldham* Branch of the *Manchester and Leeds* Railway, to commence by a Junction with the same at the present *Oldham* Station in the Township of *Oldham* in the said Parish of *Prestwich* otherwise *Prestwich-cum-Oldham*, and to terminate by a Junction with the Main Line of the said *Manchester and Leeds* Railway at the *Miles Platting* Station of the said last-mentioned Railway in the Township of *Newton* in the Parish of *Manchester* in the County of *Lancaster*:

Fifth Line.

And, fifthly, another Railway to commence from and out of the said fourthly described Railway in a Close of Meadow Land belonging to and in the Occupation of Messieurs *William Jones* and Company, and situate at *Hardman Fold* in *Hollinwood* in the Township of *Chadderton* in the said Parish of *Prestwich* otherwise *Prestwich-cum-Oldham* in the said County of *Lancaster*, and to terminate at or near the *Oak* Colliery in a Close or Parcel of Land in the Occupation of the said Messieurs *William Jones* and Company, or their Under-tenant *Aaron Leavis Barton*, abutting on the North-westerly Side of the old Turnpike Road from *Hollinwood*, through *Hollins*, to *Oldham*, and which said Close is situate in the Township of *Oldham* in the said Parish of *Prestwich* otherwise *Prestwich-cum-Oldham*:

Sixth Line.

And, sixthly, another Railway from and out of the said *Oldham* Branch of the *Manchester and Leeds* Railway, to commence at and by a Junction with the same at the said *Oldham* Station in the Township of *Oldham* in the Parish of *Prestwich* otherwise *Prestwich-cum-Oldham* in the said County of *Lancaster*, and to terminate in the Township of *Royton* in the said Parish of *Prestwich* otherwise *Prestwich-cum-Oldham* in the said County of *Lancaster* in a Close or Parcel of Land near to *Royton Hall*, and now in the Occupation of *John Fitton*, which said Close or Parcel of Land abuts on the Westerly Side of the Turnpike Road from *Oldham* to *Rochdale* in the said County of *Lancaster*.

Power to cross Roads on the Level.

XVII. And be it enacted, That it shall be lawful for the Company to construct the Railway across and on the Level of the following Roads numbered on the said Plans of the said Railways hereby authorized, as follows; (that is to say,)

On the Railway thirdly herein-before described,—

In the Township or Division of *Oldham-above-Town*, the Road numbered 189;

In the Township of *Royton*, the Road numbered 14;

In the Township of *Crompton*, the Roads respectively numbered 42 and 70; and

In the Township of *Butterworth*, the Road numbered 33:

On the Railway fourthly herein-before described,—

In the Township of *Newton*, the Road numbered 37; and

In the Township of *Failsworth*, the Road numbered 15.

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

XVIII. 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 said Railway crosses the before-mentioned Roads on the Level; and the said 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 Times 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.

Inclination of certain Roads.

XIX. And be it enacted, That as regards the Roads numbered as herein-after mentioned on the said Plans and Books of Reference deposited as aforesaid it shall be lawful for the Company to make the Rates of Inclination of such Roads respectively when altered as follows; that is to say,

A public Road numbered 78 in the *Hartshead* Division in the Parish of *Ashton-under-Lyne*, One in Sixteen:

A public Road numbered 15 in the *Knott Lanes* Division in the same Parish, One in Fifteen:

A public Highway numbered 7 in the Township or Division of *Oldham-below-Town*, One in Twelve:

A public Highway numbered 97 in the same Township or Division, One in Twenty-two and One Third:

A Highway numbered 94 in the Township of *Butterworth*, One in Twenty on both Sides thereof:

A Highway or Occupation Road numbered 142 in the same Township of *Butterworth*, One in Twenty:

A Highway or Occupation Road numbered 147 in the Township or Division of *Oldham-below-Town*, One in Seventeen.

Lands for extraordinary Purposes.

XX. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Fifty Acres.

Period for Completion of Railway, &c.

XXI. And be it enacted, That after the Expiration of Five Years from the passing of this Act all the Powers hereby granted to the Company for making the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as shall then be completed.

Tolls.

XXII. And be it enacted, That the Company may lawfully demand and receive in respect of the Use of the Railway any Rates, Tolls, and Charges not exceeding the Rates, Tolls, and Charges following; (that is to say,)

For Passengers.

For every Passenger conveyed in or by any Express Train, the Sum of Two-pence *per* Mile; and if conveyed in or upon any

Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Passenger conveyed in a First-class Carriage by any other Train, the Sum of One Penny Halfpenny *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Passenger conveyed in a Second-class Carriage by any such other Train, the Sum of One Penny *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For every Passenger conveyed in a Third-class Carriage by any such other Train, the Sum of Three Farthings *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing:

For Cattle, Goods, &c.

And with respect to Horses, Cattle, Carriages, and Goods, as follows:

For every Horse, Mule, and other Beast of Draught or Burden, Two-pence *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny:

For Cattle, the Sum of One Penny *per* Head *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Head *per* Mile not exceeding One Halfpenny:

For Calves, Pigs, Sheep, and small Animals, One Halfpenny each *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile for each not exceeding One Farthing:

For every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Three-pence; and a like Sum of Three-pence *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing:

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Pig and Bar Iron, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, and Salt, the Sum of One Penny *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

For all Coal, Slack, Cannel, Coke, Culm, and Cinders passing any Distance not exceeding Fifty Miles, the Sum of Three Farthings *per* Ton *per* Mile; and if passing a Distance exceeding Fifty Miles, Five Eighths of a Penny *per* Ton *per* Mile for the whole Distance travelled; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

For Sheet Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron, One Penny Halfpenny *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

For Sugar, Grain, Corn, Flour, Hides, Dyewoods, Manchester Packs, Earthenware, Timber, Staves, Deals, Metals, Nails, Anvils, Vices, and Chains, the Sum of Two-pence *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

For Cotton and other Wools, Drugs, and manufactured Goods, the Sum of Two-pence Halfpenny *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

For Fish, Feathers, Canes, Cochineal, Household Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, the Sum of Three-pence *per* Ton *per* Mile; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

Provided always, that with respect to all the Matters aforesaid passed over the Railways for a less Distance than Six Miles the Company may demand Tolls as for Six Miles; and with respect to Coals, Slack, Cannel, Coke, Culm, and Cinders passing any Distance exceeding Fifty Miles, the Company may demand and receive Tolls as for Fifty Miles, at the Rate of Three Farthings *per* Ton *per* Mile at the least.

Tolls for propelling Power.

XXIII. And be it enacted, That, subject to the other Provisions in this Act contained, the Tolls which the Company may demand for the Use of Engines for propelling Carriages on the Railways, shall not exceed One Farthing *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

The maximum Rates of Charges.

XXIV. And be it enacted, That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers along the said Railways, including the Tolls for the Use of the Railways, and of Carriages and for locomotive Power, and every other Expence incidental to such Conveyance as aforesaid, except Government Duty, shall not exceed the following Sums, which the said Company are hereby empowered to demand and receive; (that is to say,)

For every Passenger conveyed in or by any Express Train, the Sum of Two-pence Halfpenny *per* Mile:

For every Passenger conveyed in a First-class Carriage by any other Train, the Sum of Two-pence *per* Mile:

For every Passenger conveyed in a Second-class Carriage by any such other Train, the Sum of One Penny Halfpenny *per* Mile:

For every Passenger conveyed in a Third-class Carriage by any such other Train, the Sum of One Penny *per* Mile:

For Cattle and Goods.

And with respect to the Conveyance of Cattle and Goods, the maximum Rates of Charge to be made by the Company for the Conveyance thereof along the Railway, including the Tolls for the Use of the Railway, and Waggons or Trucks and locomotive Power, and every

every Expence incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services or any of them are performed by the Company, shall not exceed the following Sums, which the Company are hereby empowered to demand and receive; (that is to say,)

For every Horse, Mule, and other Beast of Draught or Burden, Three-pence *per* Mile:

For Horned Cattle, the Sum of Two-pence *per* Head *per* Mile:

For Calves and Pigs, One Penny each *per* Mile:

For Sheep and small Animals, Three Farthings each *per* Mile:

For every Carriage, Four-pence *per* Mile:

For all Coal, Cannel, Culm, Coke, and Cinders conveyed any Distance not exceeding Fifty Miles, the Sum of One Penny and One Eighth *per* Ton *per* Mile; and if conveyed for any Distance exceeding Fifty Miles, Seven Eighths of a Penny *per* Ton *per* Mile for the whole Distance travelled:

For all Slack conveyed any Distance not exceeding Fifty Miles, One Penny *per* Ton *per* Mile; and if conveyed any Distance exceeding Fifty Miles, Seven Eighths of a Penny *per* Ton *per* Mile for the whole Distance travelled:

For all Dung, Compost, and all Sorts of Manure, Lime, Limestone, and all undressed Materials for the Repair of public Roads, Charcoal, Stone for building, pitching, and paving, all Bricks, Tiles, Slate, Clay, Sand, Ironstone and Iron Ore, the Sum of One Penny Halfpenny *per* Ton *per* Mile, if conveyed for a Distance not exceeding Fifteen Miles; and a Sum of One Penny and One Eighth *per* Ton *per* Mile, if conveyed a Distance exceeding Fifteen Miles:

For Iron not damageable, One Penny *per* Ton *per* Mile, if conveyed for a Distance of Fifty Miles or upwards; but if for any less Distance than Fifty Miles, One Penny Farthing *per* Ton *per* Mile:

For damageable Iron, Sheet Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron, One Penny Halfpenny *per* Ton *per* Mile, if conveyed for a Distance of Fifty Miles or upwards; but if for any less Distance than Fifty Miles, Two-pence *per* Ton *per* Mile:

For Sugar, Hides, Dyewoods, Manchester Packs, Earthenware, Timber, Staves, Deals, Metals, Hardware in Packages or Cases, Nails, Anvils, Vices, and Chains, the Sum of Two-pence Halfpenny *per* Ton *per* Mile, if conveyed for a less Distance than Fifty Miles; and the Sum of Two-pence *per* Ton *per* Mile, if conveyed Fifty Miles or upwards:

For Corn and other Grain, Malt and Flour, Two-pence *per* Ton *per* Mile:

For Cotton and other Wools and manufactured Goods, the Sum of Three-pence *per* Ton *per* Mile, if conveyed a less Distance than Fifty Miles; and a Sum of Two-pence Halfpenny *per* Ton *per* Mile, if conveyed a Distance of Fifty Miles or upwards:

For Fish, Feathers, Canes, Cochineal, Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, if conveyed for

for a less Distance than Fifty Miles, Three-pence Halfpenny *per* Ton *per* Mile; and if conveyed for the Distance of Fifty Miles or upwards, the Sum of Three-pence *per* Ton *per* Mile:

Regulations as to Tolls.

And the following Regulations shall apply to such maximum Rates and Charges:

The Company shall be at liberty to fix a minimum Charge of Ten Shillings to be taken for each Carriage, and of Five Shillings for every Horse conveyed upon the Railways, notwithstanding the Charge for the Distance for which such Carriage or Horse respectively may be conveyed according to the Rates aforesaid may not amount to those Sums:

The Company shall not be compellable to provide Waggons or Carriages for the Conveyance of Coal, Cannel, Slack, Culm, Coke, or Cinders; but where such Waggons or Carriages are not provided by the Company a Deduction of One Eighth of a Penny *per* Ton *per* Mile shall be made from the above Rates of Carriage for as many Miles as the Company shall charge the said Rates:

Where any of the before-mentioned Articles, Matters, Persons, or Things shall be conveyed on the said Railways for a less Distance than Six Miles, the said Company are hereby empowered to demand and receive the aforesaid Charges, Rates, or Tolls (as the Case may be) for Six Miles; and where any such Articles, Matters, or Things shall be carried a Distance exceeding Fifty Miles, the Company are hereby empowered to demand and receive Rates, Tolls, or Charges as for Fifty Miles after the respective Rates herein-before prescribed for less Distances than Fifty Miles; and where any Dung, Compost, Manure, Lime, Limestone, undressed Materials for the Repair of public Roads, Charcoal, Stone for building, pitching, and paving, Bricks, Tiles, Slate, Clay, Sand, Ironstone or Iron Ore, shall be carried a Distance exceeding Fifteen Miles, the Company are hereby empowered to demand and receive Rates, Tolls, or Charges as for Fifteen Miles after the Rates herein-before prescribed for such last-mentioned Articles, Matters, and Things for Distances not exceeding Fifteen Miles:

Where a Waggon for the Carriage of Cattle or Sheep shall be engaged by One Party, the Charge for such Waggon capable of containing Six Oxen or Twenty-five Sheep shall not exceed Sixpence *per* Mile:

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls on Merchandize, Articles, Matters, or Things for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect to Passengers, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

And with respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and Articles of great Weight.

XXV. And with respect to small Packages, and single Articles of great Weight, be it enacted, That, notwithstanding the Rate of Tolls and Charges prescribed by this Act, the Company may lawfully demand the Tolls following; that is to say,

For the Carriage of small Parcels, that is to say, any Parcel not exceeding Five hundred Pounds Weight, the Company may demand any Sum which they think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand such Sum as they think fit not exceeding Eight-pence *per* Ton *per* Mile:

For the Carriage of any single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand such Sum as they think fit.

Restriction as to Charges not to apply to special Trains.

XXVI. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Trains that may be required upon the said Railways, but shall apply only to the ordinary Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the said Railways.

Company to provide locomotive Power.

XXVII. And be it enacted, That the Company shall and they are hereby required from Time to Time and at all Times to find and provide sufficient locomotive Power, when and as the same shall be required, and as soon as an adequate and sufficient Load shall be in readiness to convey all Merchandize, Articles, empty Waggons, Matters, and Things upon and along the said Railways.

Company may take increased Charges by Agreement.

XXVIII. Provided always, and be it enacted, That nothing herein contained shall be held to prevent the said Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger or other Trains, or by reason of any other special Service performed by the said Company in relation thereto.

XXIX. And

Mode of estimating Tolls where Traffic common to the Two Lines.

XXIX. And be it enacted, That in estimating the Tolls by this Act authorized to be taken by the *Manchester and Leeds* Railway Company for short Distances, and for fractional Parts of a Mile, after the Undertakings hereby authorized to be made shall have been united to and amalgamated with the *Manchester and Leeds* Railway Company in manner provided by this Act, the same shall, with reference to Passengers, Cattle, Articles, Matters, and Things conveyed as well upon the *Manchester and Leeds* Railway as upon the Railways hereby authorized, be calculated and imposed in such Manner as if the said several Railways formed One Line of Railway.

Passengers Luggage.

XXX. And be it enacted, That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Manchester and Leeds Railway Company may subscribe towards the Undertaking;

XXXI. And whereas the Formation of the Railways hereby authorized to be made will be beneficial to the Interests of the *Manchester and Leeds* Railway Company; be it therefore enacted, That it shall be lawful for the *Manchester and Leeds* Railway Company to subscribe towards and become Shareholders in the Undertakings hereby authorized to any Extent not exceeding One hundred and fifty thousand Pounds.

and raise Money for that Purpose.

XXXII. And be it enacted, That for such Purpose it shall be lawful for the *Manchester and Leeds* Railway Company to raise all or any Part of the Money to be so subscribed by them as aforesaid by the Creation of new Shares or Stock in the Undertaking of the *Manchester and Leeds* Railway, of such Amount, and subject to the Provisions of this Act, and of any other Act of the present or the last Session of Parliament relating to the same Company, to be appropriated and disposed of in such Manner, to such Person or Persons, for such Prices, on such Terms, by such Ways and Means, under such Conditions, and to confer on the Proprietors thereof such Rights and Privileges as by the Order of any General or Special General Meeting of the *Manchester and Leeds* Railway Company shall be determined; and all the Provisions contained in or referred to by "The *Manchester and Leeds* Railway Act, 1841," with regard to the Capital and Monies thereby authorized to be raised by Shares or Mortgage, and to the Proprietors thereof, shall in all respects, subject to the Provisions herein contained, and to the Order of any such General or Special General Meeting, be applicable to the Capital and Monies hereby authorized to be raised by Shares or Mortgage by the *Manchester and Leeds* Railway Company, and to the Proprietors thereof; and all the Provisions contained in "The *Manchester and Leeds* Railway Act, 1844," authorizing the same Company to consolidate their existing Shares into a general Capital Stock, shall in like Manner be applicable to the Shares hereby authorized to be created by the same Company; or it shall be lawful for the last-mentioned Company, if they think fit, to raise the said Sum or any Portion thereof by Mortgage of the Undertakings of the *Manchester and Leeds* Railway Company, in like Manner and under

and

and subject to the same Provisions as they are by all or any of the Acts relating to their Undertakings authorized to raise Money by Mortgage on the Credit thereof: Provided always, that until the whole of the Capital of the *Manchester and Leeds* Railway Company shall have been subscribed for, and One Half thereof paid up, it shall not be lawful for the said Company to raise any Money by Mortgage; and that the *Manchester and Leeds* Railway Company shall not by such Means increase the Amount which may be owing at any One Time on Mortgage of their Undertakings beyond the Proportion of One Third of their then existing Capital in Shares and Stock.

Subscribing Company may appoint some Person to vote.

XXXIII. And be it enacted, That it shall be lawful for the *Manchester and Leeds* Railway Company from Time to Time to nominate and appoint some One Person (whether a Shareholder or not in the Company hereby incorporated) under their Seal, or under the Hand of the Chairman for the Time being of the Directors of such Company, to vote on their Behalf at any Meeting of the Company hereby incorporated; and such Person so appointed shall have the Right of voting at such Meeting according to the Interest of the *Manchester and Leeds* Railway Company in the Undertakings hereby authorized.

As to Communications with other Railways.

XXXIV. And be it enacted, That all Communications between any Railway hereby authorized and any Railway of the *Manchester and Leeds* Railway Company or of the *London and North-western* Railway Company, and all such Openings in the Ledges or Flanges of any such Railway as may be necessary or convenient for effecting such Communications, shall be made and laid in the Manner most approved, and to the reasonable Satisfaction of the Engineers for the Time being of the several Companies with whose respective Railways such Communications shall be made.

Company not to take Property of Manchester and Leeds or London and North-western Railway Companies, or interfere with their Railways or Works.

XXXV. And be it enacted, That, notwithstanding any thing in this Act contained to the contrary, it shall not be lawful for the Company, or for any other Person or Persons, either for or in execution of this Act or for any other Purpose or in any Manner, either permanently or temporarily, to enter upon, purchase, take, or use any of the Land or Property of the *Manchester and Leeds* Railway Company or of the *London and North-western* Railway Company, or which they respectively may have compulsory Powers to purchase, or in any Manner to alter, vary, or interfere with any Railway of the same several Companies, or any of the Works appertaining thereto respectively, save only for the Purpose of effecting the Communications hereby authorized in manner aforesaid, without the Consent in Writing of the Directors of the same Companies respectively.

Saving Rights of said Companies.

XXXVI. And be it enacted, That (except so far as is hereby expressly enacted) nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *Manchester and Leeds* and *London and North-western* Railway Companies respectively.

Regulating crossing of the Manchester and

XXXVII. And be it enacted, That in crossing the *Manchester and Saltersbrook* Turnpike Road the Company shall not alter or contract the

Saltersbrook Turnpike Road.

the present Width thereof, nor shall the Surface of the said Road be raised more than Four Feet above its present Height at the Point of crossing, and the Rate of Inclination caused by the Alteration of the Level shall be One in Seventy-five on the Easterly Side of the said Crossing, and shall be level on the Westerly Side thereof; and the Company shall at their own Expence make good the said Road to the Satisfaction of the Surveyor thereof, so far as the same shall be disturbed.

Saving Rights of Proprietors of Manchester, Ashton-under-Lyne, and Oldham Canal.

XXXVIII. And be it enacted, That nothing in this Act contained shall diminish, alter, prejudice, affect, or take away any of the Rights, Privileges, Powers, and Authorities vested in the Company of Proprietors or other the Owners for the Time being of the Canal Navigation leading from *Manchester* to or near *Ashton-under-Lyne* and *Oldham*, or authorize or empower the Company hereby incorporated to alter the Line or Level of the said Canal, or of the Towing Path thereto, or any Part thereof respectively, or in any Manner to obstruct or impede the Navigation of the said Canal or any Part thereof, or to divert, intercept, cut off, take, use, or diminish any of the Water therein, or which may be taken for the Use of or which now supply the said Canal, or to interfere with or injure any of the Works of the said Canal, or to take or use any of the Lands or Buildings belonging to the said Company of Proprietors or other the Owners for the Time being of the said Canal, otherwise than as is herein-after expressly provided, or as shall be necessary for constructing in the Manner herein-after mentioned the Bridges hereby authorized to be constructed over the *Manchester, Ashton-under-Lyne, and Oldham* Canal at or near *Guide Bridge*, and over the Canal and Canal Branch near *Hollinwood*, and except such Land and Buildings as shall be absolutely required for the Works of the Railways hereby authorized.

Regulating Construction of Bridge over Manchester, Ashton-under-Lyne, and Oldham Canal.

XXXIX. And be it enacted, That in carrying the said Railway over the said *Manchester, Ashton-under-Lyne, and Oldham* Canal at or near *Guide Bridge* in the Parish of *Ashton-under-Lyne*, and over the said Canal and Canal Branch near *Hollinwood* in the Parish of *Prestwich-cum-Oldham*, the said Company hereby incorporated shall and they are hereby required, at their own Expence, at each of such Crossings of the said Canal and Branch, to erect, build, and for ever after maintain in perfect Repair, a good, firm, and substantial Bridge of Brick, Stone, Iron, or Wood, of Thirty-nine Feet in Width on the Square, over the said Canal or Branch and the Towing Path thereto, with proper retaining Walls and Approaches thereto, upon each of which Bridges the said Railway shall be made, and each of the said Bridges shall be so constructed as to leave thereunder, within the Abutment of the Arch thereof, Space for a free, open, and uninterrupted navigable Waterway of Thirty-three Feet in Width and Five Feet in Depth, and a Towing Path of Six Feet in Width, and the Abutments of the said Bridges shall be carried up perpendicularly so as to leave a clear Height of Seven Feet at the least between the Level of the Top-water of the said Canal at the respective Places of crossing and the Spring of each Arch respectively, and so that the under Side of the Centre of each Arch shall not be less than Ten Feet above such Top-water Level; and the said Company hereby

incorporated shall and they are hereby required, during the Progress of constructing such intended Bridges or any of them, or the Erection of any future Bridge or Bridges in lieu thereof, or the Repairs of such Bridges respectively, from Time to Time to leave in each Case a free, open, and uninterrupted navigable Waterway in the said Canal of not less than Sixteen Feet in Width and Five Feet in Depth, and not less than Eight Feet in Height above the Level of the Top-water of the said Canal, and a Towing Path of not less than Six Feet in Width under the Centreing to be used for constructing, repairing, or rebuilding any such Bridges.

Penalty for obstructing the Manchester, Ashton-under-Lyne, and Oldham Canal.

XL. And be it enacted, That if in the Execution of any of the Works by this Act authorized to be made, or by reason of any Act or Omission of the said Company hereby incorporated, their Agents, Servants, or Workmen, or if by reason or in consequence of any of the said Works when made, the said Canal or the Towing Path thereof shall at any Time be so obstructed as that Boats or Barges shall not be able to pass along the same, then and in either of such Cases it shall and may be lawful for the said Company of Proprietors or other the Owners for the Time being of the said Canal, at the Costs and Charges of the said Company hereby incorporated, to remove, take, and put away such Obstruction or Impediment as aforesaid, and to make good all Damage or Injury done to the said Navigation thereby; and that the said Company hereby incorporated shall pay to the said Company of Proprietors or other the Owners for the Time being of the said Canal, as or by way of ascertained Damages, all Costs and Charges to be incurred as aforesaid, and also the Sum of Five Pounds for every Hour during which any such Obstruction or Impediment of the said Canal or Canal Branch shall continue: Provided always, that if such Obstruction or Impediment shall continue beyond Seventy-two consecutive Hours, or shall have been occasioned by any wilful Act on the Part of any of the Servants of or Persons employed by the said Company hereby incorporated, then and in every such Case the said Company hereby incorporated shall pay to the Company of Proprietors or other the Owners for the Time being of the said Canal the Sum of Ten Pounds for every Hour during which the Obstruction or Impediment shall continue beyond such Period of Seventy-two Hours, as or by way of ascertained Damages; and in default of Payment of such Costs and Charges, or of such Sum or Sums of Money, as the Case may be, on Demand made of or from the Secretary of the said Company hereby incorporated, such Demand being made in Writing, and fully and accurately stating the Particulars thereof, any Two or more of Her Majesty's Justices of the Peace shall and they are hereby required, on Application by the said Company of Proprietors or other the Owners for the Time being of the said Canal, or their Clerk or Clerks or other Persons authorized by them, Seven Days Notice of such Application having been previously given to the said Company hereby incorporated by or on behalf of the said Company of Proprietors or the said Owners for the Time being, by Warrant under the Hands and Seals of the said Justices to cause the Amount thereof to be levied by Distress and Sale of the Goods and Chattels of the said Company hereby incorporated, and to be paid to the said Company of Proprietors or other the Owners for the Time being

being of the said Canal, their Agent or Clerk, rendering the Overplus (if any), upon Demand, after deducting the reasonable Charges of making such Distress and Sale, to the said Company hereby incorporated; and the said Company of Proprietors or other the Owners for the Time being of the said Canal may sue for and recover the same, together with full Costs of Suit, against the Company hereby incorporated, by Action of Debt or on the Case in any of Her Majesty's Courts at *Westminster*; and the said Company hereby incorporated shall also make Compensation to all other Parties navigating on the said Canal for all Loss or Injury which they may sustain by the Obstruction occasioned by such Interruption or Stoppage as aforesaid, to be recovered in like Manner.

Regulations as to the Railway to Ashton passing through Mr. Brown's Estate.

XLI. Provided always, and be it enacted, That it shall not be lawful for the said Company, in making the said Railway through the Land and Premises held by *Edward Brown* for Lives under the Earl of *Stamford* and *Warrington* in the Parish of *Ashton-under-Lyne* aforesaid, numbered 16, 18, and 20 on the said Plan and Book of Reference, to deviate the Line of Railway so that the centre Line thereof shall be Eastwardly of the centre or Black Line of Railway delineated on the said Plan, nor to use or appropriate for Side Cutting or Deposit of Spoil, or for any Purpose except the Construction of the Line of Railway, any Part of the Lands and Plantation now in the Occupation of the said *Edward Brown*, numbered 2, 11, and 18 on the said Plan and Book of Reference, without the Consent in Writing of the said *Edward Brown* first had and obtained.

Saving Rights of Ashton Waterworks Company, under 5 & 6 W. 4. c. 61.

XLII. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the *Ashton-under-Lyne* Waterworks Company in virtue of an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for better supplying with Water the Town of* Ashton-under-Lyne *and the Neighbourhood thereof within the Parish of* Ashton-under-Lyne *in the County Palatine of* Lancaster, or otherwise, further than shall be necessary for making and maintaining the Works hereby authorized to be made, subject to the Provisions herein contained.

Notice to be given to Ashton Waterworks Company previous to altering Pipes.

XLIII. And be it enacted, That the said Waterworks Company shall at all Times have free and uninterrupted Access to all their respective Main Pipes, Service Pipes, and Branch Pipes; and in the event of its being necessary, in making, maintaining, or altering the Works of the said Railway, that any of the Pipes of the said Waterworks Company, or their Tenants should be altered, raised, removed, or relaid, the said Company hereby incorporated shall give Notice in Writing, to be left at the Office or Place of Business of the said Waterworks Company in manner following, (that is to say,) One Month's Notice before any principal Main Pipe is to be removed, Seven Days Notice before any Street Main or Service Pipe is to be removed, and Twenty-four Hours Notice before any Branch Pipe for supplying Houses, Buildings, or Works with Water is to be removed, which said Pipes shall be altered, raised, relaid, and removed by the said Waterworks

works Company out of the Funds arising under this Act; and all Loss, Costs, Damages, and Expences which the said Waterworks Company or their Tenants shall or may sustain or be put unto in consequence of the said Pipes being so altered, raised, relaid, or removed shall be paid out of the said Funds; but in case the said Waterworks Company shall fail or neglect to do so it shall be lawful for the said Railway Company forthwith to alter, raise, lower, remove, or relay the same, and to do all such Acts as may be necessary or proper for such Purpose, and to exercise such Power or Authority for the doing thereof as the said Waterworks Company may possess, and shall pay and discharge all such Loss, Costs, Damages, and Expences which may be sustained as aforesaid; and if there shall be any Dispute between the said Waterworks Company and the Company of Proprietors hereby incorporated, respecting the Amount of such Losses, Costs, Charges, Damages, and Expences, the same shall from Time to Time, upon the Application of the said Waterworks Company, be ascertained and settled by Two Justices of the Peace of the said County of *Lancaster* not being Shareholders in either of the said Companies; and in case such Losses, Costs, Charges, Damages, and Expences shall remain unpaid for the Space of Ten Days next after the Day on which the same shall have been so ascertained and settled as aforesaid, and Demand made thereof by any Clerk or Servant acting on behalf of the said Waterworks Company, from the Clerk or Treasurer for the Time being of the said Company hereby incorporated, the same shall and may be recovered, together with full Costs of Suit, from the said last-mentioned Company, by the said Waterworks Company, by Action of Debt or on the Case in any of Her Majesty's Courts at *Westminster*; and the Signature of the said Justices to the Amount so by them ascertained and settled as aforesaid shall be conclusive Evidence of the Amount of such Debt or Demand.

For carrying Water Pipes over Railway.

XLIV. And be it enacted, That the Line of Main Pipes of the said Waterworks Company extending from their Upper Reservoir at *Knotthill* to their Service Reservoir at *Ashton-under-Lyne* shall be carried and supported over the Railway by and upon a good and substantial Bridge of the Width of Six Feet at least between the Parapet Walls thereof, and so constructed that the said Pipes may be relaid at the Depth of Two Feet from the Surface of the Ground along and over the said Bridge, and the said Railway Company shall for ever hereafter keep the same Bridge in good and substantial Repair, at their own proper Costs and Charges.

Water Pipes crossed by Railway to be arched over.

XLV. And be it enacted, That in every Case where the said Railway shall cross over any of the Pipe or Pipes of the said Waterworks Company, now laid, or to be laid in virtue of the said Act at any Time hereafter prior to the making of the said Railway, the said Company incorporated by this Act shall, at their own proper Costs and Charges, before such Railway be formed, make good and substantial Arches or Culverts of Brick or Stone over the said Pipes, the better to enable the said Waterworks Company to have Access thereto for the Purpose of repairing, amending, or relaying the said Pipes, which said Arches or Culverts shall be constructed of the Height of Four Feet at the least, and of the Breadth of Three Feet

at the least, and the said Company hereby incorporated shall for ever hereafter keep the same Arches or Culverts, at their own proper Costs and Charges, in good and substantial Repair.

Company not to take certain Lands, nor to deviate in Lands adjoining Waterworks Company's Reservoir.

XLVI. And be it enacted, That, notwithstanding the Powers and Provisions herein-before contained, it shall not be lawful for the Company hereby incorporated to take, damage, or interfere with the Wall or Embankment of the Service Reservoir of the said Waterworks Company; and in constructing the Railway through the Lands in the Division of *Ashton* Town in the Parish of *Ashton-under-Lyne* numbered 165 on the said Plan the Railway Company shall not deviate so as to bring the centre Line of the Railway nearer to the said Service Reservoir than as at present laid down in the said Plan, without the Consent of the said Waterworks Company under their Common Seal first had and obtained.

For protecting Waterworks Reservoir.

XLVII. And be it enacted, That in making and constructing the said Railway the Railway Company shall and they are hereby required, at their own Costs and Charges, to erect, build, and for ever afterwards maintain in good and sufficient Repair and Condition a good, firm, and substantial Stone Wall, to the reasonable Satisfaction of the Engineer for the Time being of the said Waterworks Company, for the Purpose of supporting the said Service Reservoir and the Embankment and other Works thereof; and if by reason of any Act or Omission of the said Railway Company, their Agents, Servants, or Workmen, in the Execution of any of the Works by this Act authorized, or if by reason or in consequence of any of the said Works when made, the Use of the said Service Reservoir, or the Filters adjoining the same, shall be prejudiced, interfered with, or prevented, or any Leakage be occasioned thereto, or the Water thereof be let off, then and in any of the said Cases it shall and may be lawful to and for the said Waterworks Company, at the Costs and Charges of the said Railway Company, to repair and make good all Damages or Injury to the said Reservoir, Filters, Embankments, and other Works, and that the said Railway Company shall pay to the said Waterworks Company, as or by way of ascertained Damages, all Costs and Charges to be incurred as aforesaid; and in case the said Service Reservoirs and Filters, or either of them, shall be so far interfered with by the Works of the said Railway Company as to be rendered unserviceable, the Water therein shall be wholly drained or let off, then the said Railway Company shall also pay to the said Waterworks Company the Sum of One hundred Pounds for every Day during which the said Service Reservoir and Filters, or either of them, shall be so rendered unserviceable; and in default of Payment of such Costs and Charges, or of such Sum, or either of them, as the Case may be, on Demand thereof from the Treasurer of the said Railway Company, such Demand being made in Writing, and fully and accurately stating the Particulars thereof, the said Waterworks Company may sue for and recover the same, together with full Costs of Suit, against the said Railway Company, by Action of Debt or on the Case in any of Her Majesty's Courts at *Westminster;* and the said Railway Company shall also make Compensation to the Owners and Occupiers of all Buildings, Lands, and Works which shall be injured

or damaged by the breaking down of the said Reservoir, and the flowing of Water therefrom, in consequence of such Acts or Omissions as aforesaid.

For regulating the crossing of Henrietta Street in Ashton-under-Lyne.

XLVIII. And be it enacted, That the Bridge to be constructed for carrying over the Railway a certain Street, Road, or Way leading from the Market Place of *Ashton-under-Lyne* aforesaid to the said Service Reservoir, and the Offices and other Works and Buildings of the said Waterworks Company, and called or intended to be called *Henrietta Street*, shall be at least Forty-two Feet in Width between or inside the Parapet Walls thereof, and shall be so placed as not to alter or divert the Line or Direction of *Henrietta Street* aforesaid; and the Road over the same Bridge and the Approaches thereof shall be so formed and laid that the Inclination or Gradient of such Road shall be uniform from the Centre of the present Bridge by which the same Street is carried over the *Ashton, Stalybridge, and Liverpool Junction* Railway, as far as the Entrance to the Offices of the said Waterworks Company.

A Junction to be made with the Manchester, Sheffield, and Lincolnshire Railway at Guide Bridge.

XLIX. And whereas the Railway hereby authorized is, according to the Plans and Sections thereof deposited as aforesaid, proposed to be constructed over the *Manchester, Sheffield, and Lincolnshire* Railway at or near *Guide Bridge* in the Parish of *Ashton-under-Lyne* in the County of *Lancaster*, by means of a Bridge or Viaduct, but without forming a Junction with the last-mentioned Railway; and it is expedient that a Junction should be formed with the last-mentioned Railway at or near *Guide Bridge* aforesaid, so as to enable Traffic to pass without Interruption from and to the *Manchester, Sheffield, and Lincolnshire* Railway to and from the Railway hereby authorized, and so as to make continuous a Line of Railway Communication between the said *Manchester, Sheffield, and Lincolnshire* Railway and the Town of *Oldham;* be it enacted, That, until the Company hereby incorporated shall at their own Expence have made and constructed at or near *Guide Bridge* aforesaid a Branch Railway conveniently practicable for Locomotive Engines and Trains of Carriages, which shall connect the said Railway hereby authorized with the said *Manchester, Sheffield, and Lincolnshire* Railway, and which shall make continuous a Line of Railway Communication between the said last-mentioned Railway and *Oldham* aforesaid, such Branch Railway to be laid out and constructed in such Direction and Manner as shall be determined upon between the Engineers for the Time being of the Company hereby incorporated and of the said *Manchester, Sheffield, and Lincolnshire* Railway Company respectively, or in case of Difference between them by an Engineer to be appointed by the Commissioners of Railways, it shall not be lawful for the Company hereby incorporated to take, demand, or receive any Rates, Tolls, or Charges upon or in respect of the Railway hereby authorized, or any Part thereof.

Company to make a Station at Guide Bridge, and to cause Trains to stop thereat.

L. And be it enacted, That the Company hereby incorporated shall and they are hereby required, at their own Expence, (provided the said *Manchester, Sheffield, and Lincolnshire* Railway Company shall consent thereto, and shall permit to be used such Portion of their

their Land as shall be necessary for that Purpose, the Value thereof to be ascertained according to the Provisions of the Lands Clauses Consolidation Act, 1845,) to construct and make upon the said Branch Railway, at or near the Point of Junction thereof with the said *Manchester, Sheffield, and Lincolnshire* Railway at or near *Guide Bridge* aforesaid, a convenient and sufficient Station, together with sufficient and proper Sidings, such Station and Sidings, and the Site, Form, and Manner of making the same, to be to the Satisfaction of the Engineers for the Time being of the Company hereby incorporated and of the said *Manchester, Sheffield, and Lincolnshire* Railway Company, or, in case of Difference between them, of an Umpire to be appointed under and in conformity with and with the Powers of the Railways Clauses Consolidation Act, 1845; and the Company hereby incorporated shall and they are hereby required to cause so many of their Trains passing between *Oldham* and *Guide Bridge* aforesaid as public Convenience shall require to stop at such Station for the Purpose of taking up and setting down Traffic proceeding to or from the *Manchester, Sheffield, and Lincolnshire* Railway; and if any Dispute shall arise as to the Number of such Trains, the same shall be settled by the Engineers for the Time being of the said Two Companies, or their Umpire, to be appointed in manner herein-before mentioned.

Company to forward the Traffic of the Manchester, Sheffield, and Lincolnshire Railway Company.

LI. And be it enacted, That the Company hereby incorporated shall and they are hereby required to carry on and forward by their own Engines over the said firstly and secondly described Railways hereby authorized (including the said Branch Railway, and such Portion of the said *Ashton, Stalybridge, and Liverpool Junction* Railway at *Ashton* as may be requisite for the Purpose,) all Carriages, Trucks, and Conveyances of or using the Line of the said *Manchester, Sheffield, and Lincolnshire* Railway Company, conveying or intended to convey Passengers, Goods, and other Traffic between the said *Manchester, Sheffield, and Lincolnshire* Railway at or near *Guide Bridge* aforesaid and the said Town of *Oldham*; and in case the Company hereby incorporated and the said *Manchester, Sheffield, and Lincolnshire* Railway Company shall not agree as to the Times at which the said Traffic of the said last-mentioned Company shall be forwarded as aforesaid, the Questions in dispute between the said Two Companies shall from Time to Time, as often as the same shall arise, be determined by the Engineers for the Time being of the said respective Companies, and in case of Difference between them by an Umpire, to be appointed under and in conformity with and with the Powers of the Railways Clauses Consolidation Act, 1845.

As to Construction of Bridge over Manchester, Sheffield, and Lincolnshire Railway.

LII. And be it enacted, That for carrying the said Railway hereby authorized over the said *Manchester, Sheffield, and Lincolnshire* Railway the Company hereby incorporated shall and they are hereby required to erect, build, and for ever after maintain in perfect Repair, a good, firm, and substantial Bridge or Viaduct of Brick, Stone, or Iron, and with Three Arches or Openings, over the said *Manchester, Sheffield, and Lincolnshire* Railway, and over Two Sidings or intended Sidings there, with Pillars between such Arches or Openings of a Thickness not exceeding Fifteen Inches, and with proper retaining Walls and Approaches on each Side of and to such Bridge

or

or Viaduct, upon which Bridge or Viaduct the said Railway hereby authorized shall be made, and such Bridge or Viaduct shall be constructed and maintained so that the centre Arch or Opening thereof shall span over the whole Width of the said *Manchester, Sheffield, and Lincolnshire* Railway, and the Drains or Watercourses on each Side thereof, and so as to leave a free, open, and uninterrupted Space between the Pillars to be erected on each Side of such Railway of Thirty Feet on the Square, and so that each of the other Arches or Openings of such Bridge or Viaduct shall leave for a Siding a free, open, and uninterrupted Space between the said Pillars and the Abutments of such Bridges or Viaducts of not less than Fifteen Feet on the Square, and the Pillars and Abutments of such Bridge and Viaduct shall be carried up perpendicularly to the Height of Fourteen Feet Six Inches at the least above the Level of the Rails of the said *Manchester, Sheffield, and Lincolnshire* Railway at the Place of crossing, and the under Side of every such Bridge or Viaduct shall not be less in any Part thereof than Fourteen Feet Six Inches above the Level of the said Rails, and such Bridge or Viaduct, and all the Works thereof or appertaining thereto, shall in the first instance be made and executed, and shall afterwards from Time to Time, as Circumstances may require, be repaired and maintained, by and at the Expence of the Company hereby incorporated, but to the reasonable Satisfaction in all things of the Engineer for the Time being of the said *Manchester, Sheffield, and Lincolnshire* Railway Company, and in such Manner and Form and by such Ways and Means only as shall not in anywise prejudice or injure the said *Manchester, Sheffield, and Lincolnshire* Railway, or impede, obstruct, or interfere with the free, uninterrupted, and safe Passage of Traffic along the same, or prevent or impede the said last-mentioned Railway Company making such Sidings as may be necessary for the convenient working of their said Railway.

Remedy in case of Obstruction to Manchester, Sheffield, and Lincolnshire Railway.

LIII. And be it enacted, That if in the Execution of any of the Works by this Act authorized to be made, or by reason of any Act or Omission of the said Company hereby incorporated, their Agents, Servants, or Workmen, or if by reason or in consequence of any of the said Works when made, the said *Manchester, Sheffield, and Lincolnshire* Railway, or any Part thereof, shall at any Time be so obstructed as that Locomotive Engines or Carriages using the same cannot conveniently pass along the same or either of the said Two Sidings thereof, then and in either of such Cases it shall and may be lawful for the said *Manchester, Sheffield, and Lincolnshire* Railway Company, at the Costs and Charges of the said Company hereby incorporated, to remove, take, and put away such Obstruction or Impediment as aforesaid, and to make good all Damage or Injury done to the said *Manchester, Sheffield, and Lincolnshire* Railway thereby; and the Company hereby incorporated shall make Compensation to the said *Manchester, Sheffield, and Lincolnshire* Railway Company, and to all Parties using the said Railway, for all Loss or Injury which they may sustain by the Obstruction or Delay occasioned by such Interruption or Stoppage as aforesaid, to be recovered by Action in any Court of competent Jurisdiction.

Saving Rights of the Manchester, Sheffield, and Lincolnshire Railway, and preventing Obstruction thereto.

LIV. And whereas the said Railway hereby authorized is intended to pass over the *Manchester, Sheffield, and Lincolnshire* Railway at or near *Guide Bridge* in the Parish of *Ashton-under-Lyne* in the County of *Lancaster;* be it therefore enacted, That nothing in this Act contained shall diminish, alter, prejudice, affect, or take away any of the Rights, Privileges, Powers, Franchises, or Authorities vested in or belonging to the *Manchester, Sheffield, and Lincolnshire* Railway Company, or authorize or empower the Company hereby incorporated to alter the Line or Level of the said *Manchester, Sheffield, and Lincolnshire* Railway, or any Part thereof, or to purchase or take any of their Lands, except such Lands as may be necessary for constructing the Line of the Railway hereby authorized, without the Consent of the said *Manchester, Sheffield, and Lincolnshire* Railway Company under their Common Seal first had and obtained.

Company to be united with Manchester and Leeds Railway Company.

LV. And be it enacted, That from and after the Period when it shall have been proved to the Satisfaction of the Commissioners of Railways, and certified by them under their Seal, that One Half of the whole Amount of the Capital, exclusive of Loans, by the Act or Acts relating to the Company hereby incorporated and to the *Manchester and Leeds* Railway Company authorized to be raised, has been actually paid up, and expended for the Purposes authorized by such Act or Acts respectively, the Company shall be and are hereby declared to be united to and incorporated with the *Manchester and Leeds* Railway Company; and the several Undertakings of the Company hereby established, and all the Lands, Monies, Goods, and Chattels, and all other the Real and Personal Estate and Effects of the same Company, and all their Estate, Right, Title, and Interest in their said Undertakings, and all the Rights, Privileges, Powers, and Authorities by the Act, or by any other Act or Acts passed or which may be passed in the present or any future Session of Parliament, given to or vested in the Company (subject to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances of the Company), shall be and be held to be and the same are hereby vested in the *Manchester and Leeds* Railway Company, and may be lawfully executed, completed, held, and exercised by and in the Name of the *Manchester and Leeds* Railway Company, in the same Manner and to the same Extent as the Company could have executed, completed, held, used, exercised, and enjoyed the same if the same Company had not been united to and incorporated with the *Manchester and Leeds* Railway Company.

Powers, &c. of Company extended to Manchester and Leeds Railway Company.

LVI. And be it enacted, That, from and after the Period at which the said Union and Incorporation shall take place, all the Powers, Authorities, Rights, Privileges, Liabilities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Rules, Clauses, Matters, and Things herein contained relating to the Company shall, with reference to such Works, Matters, and Things as shall have been or might have been made or done thereunder by the Company, their Officers, Agents, and Servants, in relation to their said Undertakings or otherwise, if they had been not so incorporated with the *Manchester and Leeds* Railway Company, be executed, done, performed,

performed, and observed by and be applied and applicable to the *Manchester and Leeds* Railway Company, their Officers, Agents, and Servants, in every respect, and as fully and effectually, to all Intents and Purposes, as if the Name of the *Manchester and Leeds* Railway Company had in every Case been written or inserted in this Act instead of the Name of the Company.

Debts, &c. of the Company transferred to Manchester and Leeds Railway Company.

LVII. And be it enacted, That (subject to the Provisions in this Act contained) from and after the Period aforesaid all the Debts then due from or to the Company shall be payable and paid, together with all Interest, if any, due or to accrue due thereon, by or to the *Manchester and Leeds* Railway Company, and all Rates, Tolls, Duties, and Monies which shall be or become, or which if the Company had not been by this Act incorporated with the *Manchester and Leeds* Railway Company would be or become due and payable, under and by virtue of this Act or any other Act relating to the Company, from or to the Company, shall be due and payable from or to the *Manchester and Leeds* Railway Company, and shall and may be recovered from or by the *Manchester and Leeds* Railway Company by the same Ways and Means, with the same Restrictions and Regulations, and with the same Penalties in regard thereto respectively, as the same would or might have been due and payable to or from or recoverable from or by the Company in case they had not been by this Act incorporated with the *Manchester and Leeds* Railway Company.

Effect of Conveyances, Contracts, &c. of or to the Company.

LVIII. And be it enacted, That all Conveyances, Contracts, Agreements, Obligations, Liabilities, Bonds, Covenants, and Securities which shall have been made or entered into before the Period aforesaid, to, with, by, or for the Company, shall be and remain as good, valid, and effectual, for or against or with reference to the *Manchester and Leeds* Railway Company, as they would have been for or against or with reference to the Company in case the said Union and Incorporation had not taken place.

Acts of the Company hereby established binding on the Manchester and Leeds Railway Company.

LIX. And be it enacted, That every Purchase, Sale, Agreement, Security, Right, Transaction, Act, Matter, or Thing whatsoever, which before the Period aforesaid shall have been made, done, executed, acquired, committed, commenced, or instituted under or by virtue of this Act, by, for, or against the Company, shall, subject to the Provisions in this Act contained, be as good, valid, and effectual to, for, or against, and shall and may be as effectually completed by and against the *Manchester and Leeds* Railway Company as they respectively would have been with reference to or could have been completed by or against the Company in case the said Union and Incorporation had not taken place.

Contracts to be completed.

LX. Provided also, and be it enacted, That in all Cases in which the Company previously to the Period aforesaid shall under the Powers or Provisions of this Act have entered into any Contracts for the Purchase of or shall have taken or used any Land which before the Period aforesaid shall not have been effectually conveyed to the Company, or the Purchase Money in respect of which shall not have been duly paid by the Company, or shall have entered into any other Contract

Contract or Agreement, then and in every such Case such Contracts or Agreements, if in force, shall be completed, if a Conveyance thereof can be required or enforced, and such Land shall be conveyed to the *Manchester and Leeds* Railway Company, or as that Company shall direct, and the Purchase Money or other Money so agreed to be paid shall be paid out of any Money placed at the Disposal of the *Manchester and Leeds* Railway Company by this Act or otherwise; and all Clauses, Provisions, Powers, and Authorities contained in this Act, or otherwise, in relation to the Completion of such Contracts, and the Purchase and Conveyance of such Land, and the Payment and Application of such Purchase Money in respect thereof, and in relation to other Matters of Agreement, shall for the Purposes of this Act remain in full Force, and shall be construed and taken as if the *Manchester and Leeds* Railway Company were named in such Act, Contracts, or Agreements respectively, instead of the Company.

Capital of the Company to be Capital of the Manchester and Leeds Railway, and Receipts to be deemed the same.

LXI. And be it enacted, That from and after the Period aforesaid the Capital of the Company shall be and is hereby declared to be Part of the Capital of the *Manchester and Leeds* Railway Company, and the Capital hereby vested in that Company shall thenceforth be subject to all the Provisions respecting Capital contained in the Acts of Parliament relating to the *Manchester and Leeds* Railway Company, and the Proprietors of Shares in the Capital of the *Manchester and Leeds* Railway Company, including the Holders of then existing Shares in the Company, shall (subject to the Provisions of this Act) have all the Privileges, Rights, and Powers which by the said Acts are vested in the Proprietors of Shares in the *Manchester and Leeds* Railway Company, and shall be subject to all the Provisions to which by the said Acts the Proprietors of Shares in the *Manchester and Leeds* Railway Company are or shall be subject; and the Receipts from the Traffic and Business of the *Manchester and Leeds* Railway, and all Works connected and to be connected therewith, and from other Sources of Income, and from the Traffic and Business of the Company, and all Railways and Branch Railways made or to be made under the Authority of this Act, and all Works connected and to be connected therewith, and from other Sources of Income, shall be deemed Receipts on account of the *Manchester and Leeds* Railway Company; and all the Costs, Charges, and Expences which, if the Company had not been united to and incorporated with the *Manchester and Leeds* Railway Company, would be payable out of the Capital of either of the said Companies, shall be paid out of the Capital of the *Manchester and Leeds* Railway Company, and all the Costs, Charges, and Expences which if the said Union and Incorporation had not taken place would be payable out of the Receipts from Traffic or other Income of either of the said Companies, shall be paid out of the Receipts which are hereby declared to be Receipts on account of the *Manchester and Leeds* Railway Company.

As to Certificates of Shares.

LXII. And be it enacted, That as soon as may be after the Period at which the Company shall have been united to and incorporated with the *Manchester and Leeds* Railway Company the *Manchester and Leeds* Railway Company shall call in the Certificates of Shares in the Company which may have been issued, if any, and shall issue to the Pro-

Proprietors of such Shares new Certificates entitling them respectively to Shares of equal Amount in the *Manchester and Leeds* Railway Company, and the Shares which shall be represented by such new Certificates may be respectively of such nominal Amount as the Directors of the *Manchester and Leeds* Railway Company shall (subject to the Provisions herein contained) deem expedient: Provided always, that such Shares shall, so far as respects the making and enforcing of Calls thereon, be deemed Shares of the Company.

As to Dividends payable to Shareholders in the Company.

LXIII. And be it enacted, That the Proprietors of Shares in the Company which under the Provisions of this Act shall be converted into or represented by Shares in the *Manchester and Leeds* Railway Company shall be entitled to Dividends in respect thereof of such Amount, in such Manner, and from such Time or respective Times as has been or shall be agreed upon between the said Companies, or between the Provisional Committee of Management of the Company and the *Manchester and Leeds* Railway Company, or any Committee acting in their Behalf and under their Authority; or if no Agreement with respect thereto shall have been entered into, then the Proprietors of the said Shares shall be entitled to Dividends in respect thereof of such Amount, in such Manner, and from such Time or respective Times as the Directors of the *Manchester and Leeds* Railway Company shall appoint, regard being had to the Period when the respective Railways constituting the Undertakings of the Company as authorized by this Act shall respectively have been opened for public Use, and to the Amount of Money which shall have been paid in respect of Deposits and Calls on account of such Shares.

Proprietors of Shares under this Act not to participate in certain Capital of Manchester and Leeds Railway Company.

LXIV. And be it enacted, That the respective Proprietors of Shares in the Company who under the Authority of this Act shall become Proprietors of Shares in the *Manchester and Leeds* Railway Company shall not, as Proprietors of such last-mentioned Shares, be entitled to participate in any Capital which the said *Manchester and Leeds* Railway Company are or shall be authorized to raise under their existing Powers, or under the Powers of this Act, or in respect of any of the following projected Undertakings, namely, the *Manchester and Southport* Railway and Branches, the *Leeds* Central Railway Station, the Extensions to *Wakefield* and *Leeds* of the *Great Northern* Railway, the new Station and Extension into *Hull* of the *Hull and Selby* Railway, and the several Branches, Extensions, Alterations, and new Works of the several Undertakings of the *Manchester and Leeds* Railway Company described in the several Bills promoted by them under the respective short Titles of "The *Manchester and Leeds* Railway Act, No. 1, 1847," "The *Manchester and Leeds* Railway Act, No. 2, 1847," and "The *Manchester and Leeds* Railway Act, No. 3, 1847;" provided that the Amount of Capital in respect of the said several projected Undertakings from Participation in which the Proprietors aforesaid are excluded shall be limited to the respective Amounts of Money authorized to be raised in the first instance by the *Manchester and Leeds* Railway Company under the Provisions of the several Acts of Parliament sanctioning the same Undertakings respectively.

Company dissolved after Incorporation with

LXV. And be it enacted, That, subject to the Provisions herein contained, the Company shall, from and immediately after the Time at which

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which the same Company shall be united to and incorporated with the *Manchester and Leeds* Railway Company, be and is hereby dissolved for all Purposes, except such as may be necessary for enforcing any existing Agreements in reference to the Incorporation of the *Oldham Alliance* Railway Company and their Undertakings with the *Manchester and Leeds* Railway Company, or any of the Provisions of this Act, for which Purposes the Company shall, notwithstanding this Enactment, continue to be and have Power to act as a Body Corporate.

Dissolution not to abate Actions.

LXVI. Provided always, and be it enacted, That nothing in this Act contained shall abate or prejudice any Action or Suit which shall have been commenced by or against the Company before the Period on which the same shall be united to and incorporated with the *Manchester and Leeds* Railway Company, but such Action or Suit may be continued, proceeded with, and prosecuted as if such Union and Incorporation had not taken place; and such Union or Incorporation shall not revive or continue any Right of Action which should be brought within a limited Time, but such Action shall be brought within the same Time against the *Manchester and Leeds* Railway Company as it should have been against the Company in case such Union and Incorporation had not taken place; nor shall such Union or Incorporation prevent the suing for or recovering, either in the Name of the *Manchester and Leeds* Railway Company or of the Company, any Penalty incurred for any Offence against the Provisions of this Act, or prevent, defeat, or abate any Prosecution, but all Penalties which shall have been incurred may be sued for, and all Offences which shall have been committed may be prosecuted, either in the Name of the *Manchester and Leeds* Railway Company or of the Company, in the same Manner, to all Intents and Purposes, as the same could have been sued for or prosecuted in the Name of the Company if the said Union and Incorporation had not taken place.

Indemnity to the Directors of the Company.

LXVII. And be it enacted, That all Persons who before the Union and Incorporation aforesaid were the Directors of the Company, their respective Heirs, Executors, Administrators, and Assigns, and their and each of their Lands, Tenements, Goods, and Chattels, shall be indemnified and saved harmless, by and out of the Funds of the *Manchester and Leeds* Railway Company, against all Debts, Liabilities, Contracts, and Engagements contracted and entered into by them as such Directors as aforesaid, and against all Damages, Losses, Costs, Charges, and Expences occasioned or which may be occasioned on account or in respect thereof.

Directors under the Union and Incorporation hereby established.

LXVIII. And be it enacted, That from and after the Union and Incorporation aforesaid the Directors for the Time being of the *Manchester and Leeds* Railway Company shall be Directors as well for the Purposes of this Act as also for the Purposes of the Acts relating to the *Manchester and Leeds* Railway Company.

Interest not to be paid by Manchester and Leeds Company on Calls paid up

LXIX. Provided always, and be it enacted, That it shall not be lawful for the said *Manchester and Leeds* Railway Company, out of any Money by this Act or any other Act relating to the same 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

holder 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 by the said *Manchester and Leeds* Railway Company: Provided always, that nothing herein-before contained shall be deemed to prevent the same 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.

in respect of Capital to be raised by virtue of this Act.

LXX. And be it enacted, That if at any Time after the passing of this Act it shall appear to the Commissioners of Railways to be necessary for the Interests of the Public, it shall be lawful for the said Commissioners to require the Company or the *Manchester and Leeds* Railway Company to proceed forthwith to the Correction or Prevention of any Inconveniences or Evils by the said Commissioners specified; and upon the Failure or Inability of the Company or the said *Manchester and Leeds* Railway Company to comply with the Requisitions of the said Commissioners in the Particulars aforesaid within a Period of Six Months from the Date of such Requisition, it shall be lawful for the said Commissioners to serve the Company or the said *Manchester and Leeds* Railway Company with Notice to introduce into Parliament in the then existing Session, if Parliament should be then sitting, and if not in the next ensuing Session, a Bill or Bills for amending this Act in such Particulars as aforesaid, and thereupon the Company or the said *Manchester and Leeds* Railway Company shall and they are hereby required to introduce such Bill or Bills accordingly, and duly to prosecute the same, in default whereof it shall be lawful for the said Commissioners to introduce or prosecute (as the Case may be) such Bill or Bills, at the Expence of the Company, or the said *Manchester and Leeds* Railway Company.

Commissioners of Railways may require Inconveniences and Evils to be remedied.

LXXI. 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 other Acts were passed in the last Session of Parliament, intituled respectively *An Act for constituting Commissioners of Railways*, and *An Act for regulating the Gauge of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the said Railways or the Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Company, so far as the same shall be applicable thereto.

Railway Company to be subject to 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.

LXXII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made from the Provisions of any general Act relating to such Act,

Railways to be subject to Provisions of any future general Acts.

Act, or of any general Act relating to Railways, now in force or which may hereafter pass during this 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 this Act.

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

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1847.