

ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

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other Works after mentioned, would tend greatly to the public Advantage: And whereas it is expedient that certain Portions of the Railway authorized to be made by the said recited Acts should be abandoned: And whereas an Act was passed in the Twelfth Year of
12 G. 1. c. 38. the Reign of His Majesty King *George* the First, intituled *An Act for making the River* Dun *in the West Riding of the County of* York *navigable from* Holmstile *in* Doncaster *up to the utmost Extent of* Tinsley, *Westward, a Township within Two Miles of* Sheffield, and the said Act has been amended and enlarged by certain other Acts of Parliament passed respectively in the Thirteenth Year of the Reign of King *George* the First, the Sixth and Thirteenth Years of the Reign of His Majesty King *George* the Second, and in the Sessions of Parliament held in the First and Second Years and in the Seventh Year of the Reign of His Majesty King *George* the Fourth: And whereas an Act was passed in the Thirty-third Year of the Reign of
33 G. 3. c. 115. His Majesty King *George* the Third, intituled *An Act for making and maintaining a navigable Canal from the River* Dun *Navigation Cut in the Township of* Swinton *to or near the Town of* Barnsley *in the Parish of* Silkstone *in the West Riding of the County of* York, *and certain collateral Cuts branching out of the said Canal*, and the Provisions of that Act were amended by an Act of Parliament passed in the Session of Parliament held in the Thirty-ninth and Fortieth Years of the same Reign: And whereas the said *Dun* Navigation and *Dearne and Dove* Canal are, under the Powers of the said firstly-recited Act, vested in the said Railway Company, and it is expedient that further Powers of borrowing should be conferred upon the said Company with respect to such Navigation and Canal: And whereas it is also expedient that some of the Provisions of the said Acts should be amended and enlarged; but these Objects cannot be attained except by 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,

Powers of recited Acts extended to this Act.

That all the Powers and Provisions contained in the said recited Acts, so far as the same are now unrepealed and in force, and except such of them as are by this Act repealed, shall extend to this Act, and to the several Matters hereby authorized, as fully and effectually as if such Powers and Provisions were repeated and re-enacted in this Act.

Short Title of Act.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in all legal Instruments and other Documents and Proceedings, it shall be sufficient to describe it as "The *South Yorkshire* Railway and River *Dun* Act, 1850."

III. And

Power to construct Works according to deposited Plans.

III. And whereas Plans and Sections of the Works by this Act authorized showing the Lines and Levels thereof, and also Books of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands through which such Works are intended to pass, have been deposited with the Clerk of the Peace for the West Riding of *Yorkshire*: Be it enacted, That it shall be lawful for the said Company to make and maintain the new or substituted Line of Railway, and also the Branch Railway herein-after particularly described, with all proper Works, Stations, Approaches, and Conveniences connected therewith, in the Lines 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 Lands as shall be necessary for such Purposes.

Description of new Lines of Railway.

IV. And be it enacted, That the said new or substituted Line of Railway shall commence in the Township of *Balby-with-Hexthorpe* in the Parish of *Doncaster* at or near a Field numbered 1 on the Plans referred to in the said firstly-recited Act, pass thence through *Hexthorpe Balby* otherwise *Balby-with-Hexthorpe* and *Doncaster*, and terminate in the Township and Parish of *Doncaster* at or near a Field numbered 67 y on the said last-mentioned Plans; and the said Branch Railway (which will be situate wholly in the Townships and Parishes of *Balby-with-Hexthorpe* and *Doncaster*, or One of them,) shall commence by a Junction with the said new or substituted Line of Railway in a certain Field now or late belonging to *Joseph Stenton*, and terminate by a Junction with the *Great Northern* Railway at or near the Bridge under the Turnpike Road leading from *Tinsley* to *Doncaster*.

Describing Works to be abandoned.

V. And be it enacted, That the said Company shall abandon the following Portions of their Undertaking as now authorized; namely,

So much of the Main Line of their Railway as lies between that Part of the River *Dun* which is numbered 231 y on the said last-mentioned Plans, and is situate in the Township and Parish of *Doncaster*, and the intended Junction or Junctions of the said Railway with the *Great Northern* Railway in the Township of *Bentley-with-Arksey* in the said Parish of *Arksey*:

The Branch Railway which they are by the said firstly-recited Act authorized to construct from the Main Line of their Railway in the Township of *Balby-with-Hexthorpe*, passing through *Balby-with-Hexthorpe*, *Warmsworth*, and *Doncaster*, and terminating by a Junction or Junctions with the *Great Northern* Railway in the said Township and Parish of *Doncaster*:

And

And all the Powers, Authorities, and Privileges by the said recited Acts or either of them granted to the Company for the Construction, Maintenance, or Use of the said Portions of Railway so required to be abandoned shall from and after the passing of this Act cease and determine.

Compensation to be made where Contracts have been entered into or Notices given.

VI. Provided always, and be it enacted, That in any Case where, before the passing of this Act, any Contract has been entered into or Notice given by the Company for purchasing any Lands which the Company were empowered to purchase for the Purpose of constructing the Portions of Railway so to be abandoned as aforesaid, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or Notice, and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided also, that the Authority hereby given for abandoning the Formation of the aforesaid Portions of the said Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions for that Purpose in the said Lands Clauses Consolidation Act contained.

Power to cross a certain Road in the Parish of Adwick-upon-Dearne on the Level.

VII. And whereas by "The *South Yorkshire, Doncaster, and Goole* Railway Act, 1847," the Company are authorized to construct their Railway across a certain public Road, numbered 13 on the Plans referred to in such Act, in the Parish of *Adwick-upon-Dearne* in the said West Riding, by carrying the said Road over the said Railway, but it has since been found more convenient for the Parties using the said Road that it should be crossed on the Level: Be it therefore enacted, That it shall be lawful for the Company to make and maintain their Railway across and upon the Level of the same Road in the Manner defined upon the herein-before first-mentioned deposited Plans, instead of in the Manner already authorized.

Power to cross certain Roads on the Level.

VIII. And be it enacted, That it shall be lawful for the Company to construct the Railways hereby authorized across and upon the Level

Level of the Turnpike Roads and public Roads numbered on the first-mentioned deposited Plans as follows; (that is to say,)

Numbers 15[f], 18[f], and 37[f], in the Parishes of *Balby-with-Hexthorpe* and *Doncaster*, or One of them.

Company to erect Station or Lodge at Points of level Crossing, and abide by Rules, &c. of Commissioners of Railways.

Penalty on Company for Neglect.

IX. 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 before-mentioned Roads shall be crossed on a Level; 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 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.

Commissioners of Railways may require Bridges instead of level Crossings.

X. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Railways, if it shall appear to them necessary for the public Safety, at any Time, either before or after the Railways hereby authorized to be made, or either of them, shall have been completed and opened for public Traffic, to require the Company, within such Time as the Commissioners shall direct, and at the Expense of the Company, to carry any or either of the herein-before mentioned Roads either under or over the Railway by means of a Bridge or Arch, instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Commissioners the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Power to purchase Land for extraordinary Purposes.

XI. And be it enacted, That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes, not exceeding Twenty Acres, in addition to the Land which they are at present authorized to take for such Purposes.

Period within which Lands are to be purchased.

XII. 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 the Completion of the Works.

XIII. And be it enacted, That the Works hereby authorized shall be completed within Five Years from the passing of this Act, and on the

the Expiration of such Period the Powers by this Act granted to the Company for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Limiting Power over Lands of the Corporation of Doncaster.

XIV. And whereas the said Company have, by Agreement bearing Date the Fourth Day of *May* One thousand eight hundred and fifty, contracted with the Mayor, Aldermen, and Burgesses of the Borough of *Doncaster* for the Purchase for the Purposes of this Act of certain Parts of the Lands delineated upon the said Plans and specifically defined in a Map annexed to the said Agreement: Be it enacted, That nothing in this Act contained shall authorize or enable the Company to purchase or take by Compulsion, for the Purposes of this Act or otherwise, any Lands or Parts thereof belonging to the said Mayor, Aldermen, and Burgesses, described or contained on the said deposited Plans and Books of Reference thereto, other than and except the Lands specified in the said Agreement, and delineated in the Map annexed thereto.

Company to erect a Screen.

XV. Provided always, and be it enacted, That the Company shall and they are hereby required at their own Expense to erect and at all Times to maintain a good and sufficient Wall at least Eight Feet high above the Level of the Rails on the Southwardly Side of the said new or substituted Line of Railway from the Occupation Road, marked on the said Plan, numbered 18[f], to the Eastwardly Side of the said Field numbered 23[f] on the said Plan.

Provision against Nuisances.

XVI. Provided also, and be it enacted, That it shall not be lawful for the Company to erect upon the said new or substituted Line of Railway between the Occupation Road numbered on the said Plan 18[f], and the Easterly Side of the Field numbered 23[f], any Buildings to be used for any Purpose which shall be a Nuisance or Annoyance to the Neighbourhood; and that the Lodges which may be erected at the level Crossings, and all other Buildings on the said substituted Line which are within view of the adjoining Residences, shall be made reasonably ornamental; nevertheless, the Buildings which may be necessary for a repairing Shop for Waggons in the Field, No. 23[f], being excepted from this Provision.

For Protection of the Midland Railway Company.

XVII. And be it enacted, That all the Provisions of the said first-recited Act for giving or securing to the *Midland* Railway Company any Rights or Privileges for using or running over or upon the Railway by that Act authorized to be constructed, or any Part thereof, shall be held and taken to apply to the said new or substituted Line of Railway as if the same had been included in the said

said first-recited Act, instead of the Line of Railway by this Act authorized to be abandoned.

Bridges across the River Dun, below Doncaster, to be maintained as opening Bridges, and to be opened for the Passage of masted Vessels.

XVIII. And whereas by the said first-recited Act, after reciting that the Bridges across the River *Dun* Navigation below the Town of *Doncaster* were opening Bridges, admitting the Passage up to the Town of *Doncaster* of Sea-going Vessels with their Masts and Sails set, and that it might be expedient that the same should be continued, it was enacted, that it should not be lawful at any Time thereafter to erect any fixed Bridge across the River *Dun* Navigation below the Town of *Doncaster*: And whereas the Navigation of the River *Dun* below *Doncaster* has been greatly improved, the Flood Waters have been carried down a new Channel below *Sandall Weir*, and the Water has been raised in the old River, so that Sea-going and other masted Vessels of large Burden can navigate the same up to *Doncaster*, and it is expedient that further Provision should be made for making and maintaining the Bridges across the said Navigation below *Doncaster* as opening Bridges for the free Passage at all Times of all masted Vessels requiring to pass through the same with their Masts standing and Sails set, and for compelling the closing of such Bridges when opened: Be it therefore enacted, That the Company shall, within Three Months from the passing of this Act, put and at all Times thereafter keep and maintain all the Bridges across the said Navigation between the Town of *Doncaster* and the Tideway at *Stainforth* in such a Condition as that the same shall at all Times be readily opened by the Boatmen or other Persons requiring to open such Bridges for the Passage through the same of Sea-going or other masted Vessels with their Masts standing and with or without their Sails set, and every Boatman or other Person opening any such Bridge shall close and fasten the same immediately after the Vessel for the Passage of which such Bridge shall have been opened shall have passed through the same.

Penalty on Company for Obstruction.

XIX. And be it enacted, That if within Three Months after the passing of this Act the Company shall not have put the said Bridges into such Condition as that they may be readily opened by any Boatman or other Person requiring to open the same for the Purposes aforesaid, or if the said Company shall not for ever after maintain the said Bridges in such Condition (inevitable Accidents only excepted), or if they shall wilfully prevent or obstruct the opening of any of the said Bridges for the Purposes aforesaid, the Company shall for every such Offence forfeit a Sum not exceeding Twenty Pounds, and a further Sum of Ten Pounds for every Day after the first Day during which such Obstruction may continue, or the said Bridges or any of them may continue, unless by inevitable Accident, in such a

Condition

Condition as not to be readily opened by such Boatman or Person as aforesaid.

Penalty on Boatmen for not shutting Bridges after passing through the same.

XX. And be it enacted, That if any Boatman or other Person who shall have opened any such Bridge shall refuse or neglect to close and fasten the same immediately after the Vessel for which such Bridge shall have been opened shall have passed through the same, every Boatman or other Person so offending shall for every such Offence be subject to a Penalty not exceeding Forty Shillings.

Enabling Company to borrow Money to pay off Dun Navigation and Dearne and Dove Canal Proprietors.

XXI. And whereas it is provided by the said firstly-recited Act that (after Proof to the Commissioners of Railways that One Half of the Capital of the Company has been actually paid up and expended for the Purposes of that Act) the River *Dun* Navigation and the *Dearne and Dove* Canal shall vest in and belong to the said Company, and that thereupon every Person holding One Share in the said Navigation shall be entitled to receive One hundred and fifty Shares in the Capital of the said Company, a Power being reserved to the Company either to purchase, within Ten Years from the opening of the Railway, each Share in the said Navigation for Three thousand Pounds, or to call in and cancel, within the like Period, any Share in their Capital which may have been allotted as aforesaid to the Proprietors of the said Navigation; and as regards the said Canal it is by the said Act provided that each Share therein shall be purchased by the Company on or before the Second Day of *January* One thousand eight hundred and fifty-seven for the Sum of Three hundred and fifty Pounds, Interest in the meantime being paid at the Rate of Four Pounds *per Centum per Annum*: And whereas the said Company has proved the Matters aforesaid, and has entered into possession of the said Navigation and Canal: And whereas it is expedient that further Powers of borrowing should be conferred upon the said Company to enable them, if they think fit, not only to pay off the said last-mentioned Proprietors, but also to call in and cancel any Shares in the Capital of the Company which may be allotted to the said Proprietors, and also to enable them to fulfil the before-mentioned Arrangement for the Purchase of the Shares in the said Canal: Be it therefore enacted, That it shall be lawful for the said Company from Time to Time to borrow, on Mortgage of the Tolls and other Profits arising from the said Navigation and Canal Undertakings respectively, such Sum and Sums of Money as they the said Company may require to enable them as well to fulfil the said last-mentioned Arrangement, as also, in case they shall see fit, to purchase the existing Shares in the said Navigation, or to call in and cancel such of the Shares in their Capital as may have been or may be allotted to the said Navigation Proprietors, in the Manner

Manner and on the Terms mentioned in the said recited Act; provided nevertheless, that the Amounts so to be borrowed shall not exceed in the whole the Sums by the said firstly-recited Act authorized to be paid in respect of the Shares in the said Navigation and Canal respectively, and that the Option of purchasing the Shares in the said Navigation in the Manner and upon the Terms herein-before referred to, or of calling in and cancelling the Shares in the Capital of the said Company which may have been or may be allotted as aforesaid to the Proprietors of the said Navigation, shall not be exercised by the said Company, except in pursuance of the Resolution of an Extraordinary General Meeting of the said Company, to be convened for that Purpose by Advertisement, stating the Object of such Meeting; and provided also, that no Proprietor of any Shares in the said Navigation, or of any Share in the Capital of the said Company, which may have been or may be allotted as aforesaid, shall in respect of the same Shares have any Vote at such Special Meeting.

Mortgages to rank after existing Securities.

XXII. And be it enacted, That all Sum and Sums of Money which shall be borrowed under the Powers of this Act shall be a Charge ranking next in succession after the Incumbrances existing on such Navigation and Canal respectively at the Time of the passing of this Act, and after any Securities which may be created for discharging such Incumbrances, such Securities being only to the same Amount as the Incumbrances so discharged; and provided always, that the Monies derived from the same Securities shall be applied to the Discharge of the said Incumbrances, and to no other Purpose whatever.

Navigation Shareholders may accept Preference Stock or Dividend.

XXIII. And be it enacted, That it shall be lawful for every Person or Corporation who is by virtue of the said recited Acts authorized to execute a Conveyance to the Company of any Share in the said River *Dun* Navigation, and who, until such Conveyance shall be so executed, will be entitled from the opening of the Railway to such Sum as shall be equal to the Dividend upon One hundred and fifty ordinary Shares in the Capital Stock of the Company, if he or they shall so think fit, in lieu of the ordinary Shares of the Company, to accept Shares on which a preferential Dividend is guaranteed under the Powers of this and the said recited Acts, subject to the Conditions on which such Preference Shares may be issued, or, in lieu of the Dividend upon the ordinary Shares of the Company, to agree to accept the Dividend upon Preference Shares, subject to such Conditions as aforesaid, until such Conveyance shall be so executed as aforesaid.

Alteration of Name of Company.

XXIV. And whereas Proof has been made as aforesaid to the Commissioners of Railways that One Half of the Capital of Seven hundred and fifty thousand Pounds authorized to be raised by the said first-recited Act has been actually paid up and expended for the Purposes of the said recited Act, and the River *Dun* Navigation and *Dearne and Dove* Canal have become vested in the Company: Be it enacted, That the Name, Style, and Title of the said Company shall from the passing of this Act be "The *South Yorkshire* Railway and River *Dun* Company," instead of the *South Yorkshire, Doncaster, and Goole* Railway Company, and by that Name the said Company shall henceforth have and exercise all the Powers now vested in the *South Yorkshire, Doncaster, and Goole* Railway Company; and the said recited Acts and this Act shall be severally read and interpreted as if the Name, the *South Yorkshire* Railway and River *Dun* Company, were inserted throughout, in lieu of the Name of the *South Yorkshire, Doncaster, and Goole* Railway Company.

Actions not to abate.

XXV. Provided always, and be it enacted, That no Action, Suit, Bill, Process, Writ, Indictment, Information, or any other Proceeding, whether civil or criminal, which at or immediately before the passing of this Act had been commenced and were then pending, whether at the Suit or Instance of the *South Yorkshire, Doncaster, and Goole* Railway Company against any other Corporation or against any Person, or at the Suit or Instance of any other Corporation or of any Person against the same Company, shall abate, determine, or be otherwise impeached or affected for or by reason of the aforesaid Change of the Name of the said Company, nor shall any Notice, Tender, Requisition, Warrant, Summons, Pleading, civil or criminal, Writ or other Process, Record, Deed, Contract, Agreement, Writing, or Instrument, that shall have been or shall be made, issued, written, or commenced, be deemed to be vacated, discharged, invalidated, prejudiced, or affected by reason of the said Company or Railway being therein respectively called by the Name of the *South Yorkshire, Doncaster, and Goole* Railway Company, or the *South Yorkshire, Doncaster, and Goole* Railway; and it shall not be necessary in any Bill, Suit, Indictment, Information, Notice, Tender, Requisition, Warrant, Summons, Pleading, civil or criminal, Writ or other Process, or in any Record, Deed, Contract, Agreement, Writing, or other Instrument or Matter, to aver that the said Company had been called or known from the Time of the passing of the said first-recited Act until the Time of the passing of this Act by the Name of the *South Yorkshire, Doncaster, and Goole* Railway Company, or that the said Railway had been called or known within that Period by the Name of the *South Yorkshire, Doncaster, and Goole* Railway, and that

that by this Act the Names of the said Company and their Undertaking were changed as aforesaid, and that after the passing of this Act the said Company hath been called and known by the Name of the *South Yorkshire* Railway and River *Dun* Company, but it shall be deemed true, lawful, and sufficient therein to aver the Style and describe the said Company by the Name of the *South Yorkshire* Railway and River *Dun* Company, and their Undertaking by the Name of the *South Yorkshire* Railway and River *Dun*, in the same Manner as if the said Company in and by the said recited Act had been originally incorporated, called or known by the Name of the *South Yorkshire* Railway and River *Dun* Company, and as if their Undertaking had been called and known by the Name of the *South Yorkshire* Railway and River *Dun*.

Declaring Transfer of Powers of Navigation and Canal to Railway and Navigation Company.

XXVI. And whereas by the said recited Act it is enacted, that on such Proof as aforesaid to the Commissioners of Railways the said River *Dun* Navigation and *Dearne and Dove* Canal Company, and all Lands, Rents, Hereditaments, and Appurtenances to which the said Navigation and Canal Companies respectively were entitled at Law or Equity immediately before such Proof as aforesaid, should be vested in the said Railway Company: Be it enacted, That all the Powers, Authorities, Rights, Privileges, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Rules, Clauses, Matters, and Things with reference to the said River *Dun* Navigation Undertaking and the said *Dearne and Dove* Canal Undertaking respectively, and the same Lands, Rents, Hereditaments, and Appurtenances which were applicable to, might have been exercised by, or were binding upon the said River *Dun* Navigation Company and *Dearne and Dove* Canal Company respectively immediately before such Proof as aforesaid, shall henceforth be applicable to and exercised by and binding upon the Company (save only so far as the same or any of them are inconsistent with the Provisions and Purposes of this Act) as fully and effectually, to all Intents and Purposes, as if the Name of the Company had in every Case been written or inserted in the several Acts relating to the said Navigation and Canal Companies respectively, instead of the Names of the Navigation and Canal Company.

Shares forfeited may in certain Cases be cancelled.

XXVII. And be it enacted, That in any Case in which it shall happen that the Market Price of Shares which may have been or may be forfeited for Nonpayment of Calls shall be such as to render it impossible for the Company to sell the same so as to realize a Sum equal to the Arrears of Call due upon the same, it shall be lawful for the Company to cancel the same Shares, and to issue so many new

new Shares and of such nominal Amount as they may think fit, provided the Capital to be represented by such new Shares shall not in the whole exceed the Capital represented by the unpaid Portion of the Shares which shall be so cancelled, and any such cancelling of forfeited Shares and Issue of new Shares heretofore made in accordance with this Provision are hereby confirmed.

Company may guarantee Dividends on Shares.

XXVIII. And be it enacted, That it shall be lawful for the Company, with the Assent of Three Fifths of the Votes at any General Meeting, to guarantee the Payment of Dividends, not exceeding in any Case Seven *per Centum per Annum*, on any particular Shares which the Company may by any of the before-recited Acts be authorized to issue, in preference to the Payment thereof on the ordinary Shares of the Company, and upon such Terms as shall be by the Resolution of such Meeting defined: Provided always, that any Preference or Guaranteed Shares which shall have been already issued by the Company shall have a Preference or Priority of Dividend over the Shares so guaranteed as aforesaid, and all Preference Shares shall have Priority of Dividend according to the Date at which such Shares shall have been issued.

Enabling Company to contract with Owners of Tramways.

XXIX. And whereas divers Tramways have been heretofore made and are now used for conveying Minerals to the said Navigation and Canal, and it is expedient that the same should be so altered as to accord in Gauge with the said Railway, so as to serve for Communication between such Railway and the Pits and Places to which the same lead: Be it enacted, That it shall be lawful for the Company to contract with the Owners of such Tramways or any of them, and with the adjoining Landowners, for the Alteration and Improvement of the said Tramways, and for the working thereof by the Engines, Plant, and Servants of the Company, subject to such Rules and Regulations as may be prescribed from Time to Time by the Commissioners of Railways, and subject also to the Provisions of an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops.*

5 & 6 Vict. c. 55.

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

XXX. And be it enacted, That it shall not be lawful for the Company, out of any Money by the said recited Acts authorized to be raised for the Purposes of such 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 said Company to

to construct any other Railway, or execute any other Work or Undertaking.

Railway and Company not exempt from 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.

XXXI. 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 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 Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, the one intituled *An Act for regulating the Gauge of Railways*, and the other intituled *An Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Company or their said Railways from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways so far as the same shall be applicable thereto.

Railways not exempt from Provisions of future general Acts.

XXXII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made, or the said Company, from the Provisions of any general Act relating to such Acts, or of any general Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

Expenses of Act.

XXXIII. And be it enacted, That all the Costs, Charges, and Expenses 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 Terms.

XXXIV. And be it enacted, That the Term "the Company" or "the said Company" in this Act shall mean "the *South Yorkshire* Railway and River *Dun* Company."

Public Act.

XXXV. 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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