ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. cxxii.

An Act to enable the *Warrington and Altrincham Junction* Railway Company to extend their Railway to *Stockport* [4th *August* 1853.]

WHEREAS by "The *Warrington and Altrincham Junction* Railway Act, 1851," the *Warrington and Altrincham Junction* Railway Company were incorporated, and were authorized to make a Railway from *Warrington* to *Altrincham*: And whereas the said Company have already made considerable Progress in the Construction of the said Railway: And whereas the Extension thereof to the Town of *Stockport* would be of great public Advantage: And whereas a Plan and Section describing the Line and Levels of the said Extension, and also a Book of Reference to the Plan, containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands which may be required to be taken in the Construction of the said Extension, have been deposited with the respective Clerks of the Peace for *Lancashire* and *Cheshire*: And whereas the said Company are desirous of making the said Extension, but they cannot do so 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

14 & 15 Vict. c. lxxi.

Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

8 & 9 Vict. cc. 18. and 20. incorporated.

I. "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

"The Company."

II. Where in this Act the Expression "the Company" is used, the same shall mean the *Warrington and Altrincham Junction* Railway Company.

Power to make Extension Railway according to deposited Plan.

III. It shall be lawful for the Company to make and maintain the said Extension, with all necessary Works, Stations, and Conveniences connected therewith, in the Line and upon the Lands delineated on the said Plan, and described in the said Book of Reference, and according to the Levels defined on the said Section (subject nevertheless to the Provision herein-after contained); and they may enter upon, take, and use such of the said Lands as shall be necessary for the Purposes aforesaid.

Describing the Extension.

IV. The said Extension shall commence by a Junction with the *Warrington and Altrincham Junction* Railway, near to the Duke of *Bridgewater*'s Canal, in the Township of *Altrincham* in the Parish of *Bowdon*, pass through *Altrincham*, *Timperley*, *Baguley*, *Bowdon*, *Sale*, *Ashton-upon-Mersey*, *Northenden*, and *Cheadle*, in *Cheshire*, *Didsbury*, *Heaton Norris*, *Stockport*, and *Manchester*, in *Lancashire*, and terminate at the *Wellington Road North* in the Borough of *Stockport*.

Extension to form Part of Warrington, &c., Junction Railway.

V. The Extension, when completed, shall form Part of the Undertaking of the *Warrington and Altrincham Junction* Railway Company.

Power to cross certain Roads on a Level.

VI. It shall be lawful for the Company to carry the said Extension across and on the Level of the Turnpike Roads and public Roads numbered on the said Plan as follows; (that is to say,)

Numbers 45 and 50 in the Township of *Timperley* in the Parish of *Bowdon* :

Numbers 17, 31, 33, 36, 46*a*, and 68, in the Parish of *Northenden* :

Number 26 in the Parish of *Manchester*.

Company to erect Stations or Lodges where Roads crossed on the Level.

VII. 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

pass such Roads, as may from Time to Time be made by the Board of Trade; 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.

Board of Trade may require Bridges instead of level Crossings.

VIII. Provided always, That it shall be lawful for the Board of Trade, if it shall appear to them necessary for the Public Safety, at any Time either before or after the Works hereby authorized to be made, or any of them, shall have been completed and opened for Public Traffic, to require the Company, within such Time as the said Board of Trade 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 Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Power to divert the Extension in the Parishes of Cheadle and Manchester.

IX. And whereas according to the said Plan the Company might carry the said Extension across and on the Level of the *Manchester and Wilmslow* Turnpike Road in the Township of *Didsbury* in the Parish of *Manchester*, but the Trustees of the said Road object to the said level Crossing: And whereas such level Crossing can easily be avoided by diverting the said Extension in the said Parishes of *Cheadle* and *Manchester*, and carrying it under the said Road: And whereas a Plan and Section of the said Diversion, and a Book of Reference to such Plan, containing the Names of the Owners, Lessees, and Occupiers of the Lands which may be required to be taken in making the said Diversion, were deposited in the Month of *April* last with the said Clerks of the Peace for *Lancashire* and *Cheshire*: And whereas the said Owners, Lessees, and Occupiers consent to the said Diversion: Be it therefore enacted, That it shall be lawful for the Company and they are hereby required to make and maintain the said Extension in the Line and upon the Levels shown upon the Plans and Sections deposited as aforesaid in *April* last, and they may take and enter upon such of the Lands mentioned in the said Book of Reference as may be necessary in making the said Diversion.

As to crossing of Manchester and Wilmslow Turnpike Road.

X. And whereas the Line of the said Railway will cross the Turnpike Road leading from *Manchester* in the said County of *Lancaster* to *Wilmslow* in the County of *Chester*, near to the Bridge over the River *Mersey*,

Mersey, and in the Township of *Didsbury* in the said County of *Lancaster:* Be it therefore enacted, That the said Company shall and they are hereby required to construct and for ever hereafter maintain the said Railway so that the Level of the upper Surface of the Rails of such Railway, where the same shall cross the said Turnpike Road, shall not be higher from the Datum Line of the said Railway, as shown on the Plans and Sections deposited in respect of the Bill for the said Railway, than One hundred and nine Feet and Ten Inches; and also to construct the said Railway so that its Centre Line shall not cross the said Turnpike Road at a greater Distance from the Centre of the Centre Arch of the said Bridge over the River *Mersey* than Ninety-four Yards; that the said Railway Company shall and they are hereby required to erect and build a good, firm, and substantial flat Girder Bridge to carry the said Turnpike Road over the said Railway at the Point where the same respectively cross, and to construct and for ever maintain such Bridge so that no Part of the under Surface thereof shall be of greater Height than Fourteen Feet from the upper Surface of the Rails of the said Railway under and near to the same Bridge, and to erect and make substantial and proper Battlements or Fences and proper Approaches to such Bridge, and to make and form the said Road over the said Bridge and the Road and Approaches to the same from the Centre of the Bridge over the River *Mersey* to the Centre of the said Railway Bridge, and from the Centre of the same Railway Bridge to the Extent of One hundred and twelve Yards on the Northerly or *Didsbury* Side of the same Railway Bridge, with good and proper Materials, and in a good and effectual Manner, and with firm and proper Walls, Slopes, or other Supports on the Sides thereof, in order effectually to uphold and maintain the Embankments intended to be made in forming the said Road and Approaches to the said Railway Bridge, or each Side thereof, to the Extent before mentioned, and also to make and erect the said Battlements or Fences of both Sides of the said Railway Bridge in a substantial Manner, of the Height of Six Feet at the least, and to plant a good and sufficient Fence, to be formed of a double Row or Line of Hollies and Thorns, planted alternately, and to make and erect a good and sufficient Fence and Screen, to be formed of strong and substantial Wooden Posts and Rails and Arris upright Bars of Wood Six Feet in Height, and fixed at Two Inches apart, on both Sides of the said Road and Approaches to the said Railway Bridge, from the Northerly End of the said Bridge over the River *Mersey* to the Centre of the said Railway Bridge, save only across the End of the Road leading from the said Turnpike Road on the Westerly Side thereof to *Didsbury* Mill, and herein-after provided for, and from the Centre of the same Railway Bridge to the Extent of Sixty Yards on the Northerly or *Didsbury* Side of the same Railway Bridge of the Height of Six Feet at the least, which said Railway Bridge, and the said Road and Approaches thereto, to the

the Extent on each Side of the said Railway Bridge as before mentioned, shall be made of the Width of Thirty-six Feet at the least within the said Battlements thereof and within the Screens and Fences of the said Roads and Approaches, to the Extent aforesaid; and also well and perfectly, and with proper Materials, to make the said Road over the said Railway Bridge, and the said Road and Approaches to the same, to the Extent thereof as before mentioned, of the Width of Thirty Feet at the least for the Purpose of a Carriage Road, and put the said Road and Approaches in a good and perfect Condition; and also to make a good and sufficient Footpath on the Westerly Side of the said Bridge and Approaches, of the Width of Six Feet at the least, and to be properly elevated above the Carriageway, and protected therefrom by good Curb Stones, and to make the said Road and Approaches so that the same shall, from the said Bridge to the Centre of the Bridge over the River *Mersey*, for ever hereafter be of One uniform Plane, and not steeper than One Inch in Four hundred Inches, and so that the same Road and Approaches shall, from the Centre of the said Railway Bridge to the Extent of One hundred and twelve Yards on the Northerly or *Didsbury* Side thereof, descend gradually and uniformly, and shall not be steeper than One Foot in Height for every Forty-five Feet in Length; to make good and sufficient Drains or Culverts for the Purpose of properly and effectually draining and laying dry the said Road and Approaches so to be made and formed from the Centre of the said Railway Bridge to the Centre of the said Bridge over the River *Mersey*, and from the Centre of the said Railway Bridge to the Extent of One hundred and twelve Yards on the Northerly or *Didsbury* Side of the said Bridge, and to make and form such Road to the Satisfaction of the Surveyor of the Trustees of the said Road; and the said Railway Company shall and they are hereby required, at their own Expense, for ever hereafter to uphold, repair, and keep the said Railway Bridge, and the Battlements and Fences thereof, and the said Embankments and the Roads and Approaches to be formed thereon as before mentioned (save only the immediate Surface thereof), between the Centre of the said Railway Bridge to the Centre of the said Bridge over the River *Mersey*, and from the Centre of the same Railway Bridge to the Extent of One hundred and twelve Yards on the Northerly or *Didsbury* Side thereof, and the Fences, Screens, Drains, Culverts of the same Embankments, Roads, and Approaches in good and substantial Order and Condition; and also to maintain and keep in good Repair and Condition the before-mentioned Screens and Fences on each Side of the said Road and Approaches to the said Railway Bridge, and to be formed and constructed of Wooden Posts and Rails and Arris upright Bars, as before mentioned, until the Time when the said Holly and Quickset Fences to be planted by the said Company on the Embankments on the Margin, but Outside of the said Road, Approaches, and

Footpath, and parallel with the said Screens and Fences so to be made and formed with Wooden Posts and Rails and Arris upright Bars as before mentioned, shall, in the said Judgment of the Surveyor for the Time being of the said Trustees, to be certified in Writing under his Hand, have grown to a sufficient Height and Thickness to form effective and safe Screens and Fences for the said Road and Approaches to the same Railway Bridge, and the said Screens and Fences of Wooden Posts and Rails and Arris Bars shall be taken down and removed; and the said Company shall and are hereby required, in case the said last-mentioned Fence and Screen shall be so taken down and removed, to keep and maintain for ever hereafter the said Screen and Fence, to be formed of a double Row of Quicksets and Hollies, planted alternately, to be substituted in lieu thereof on the Northerly Side of the said Road leading from the said Turnpike Road to *Didsbury* Mill aforesaid, to the Extent of Twenty-five Yards as before mentioned, in good and proper State and Condition, and replant the same with other Quicks and Hollies, to be formed and planted in manner aforesaid, when the same shall from Time to Time become necessary, as that there shall be at all Times hereafter kept and maintained by the said Company by means of such Holly and Quickset Fences, or by some other Means should the same become necessary, a good, safe, and effective Screen and Fence for all Purposes, and to the Satisfaction of the Surveyor for the Time being of the said Trustees, on the said Northerly Side of the said Road leading from *Didsbury* Mill aforesaid to the Extent to which the said Company are hereby required to erect such Screen and Fence; and the said Company shall and are hereby required to make and form a good and sufficient Fence or Screen, to be formed of Wooden Posts and Rails with good and substantial Arris upright Bars of Wood to the Height of Six Feet at the least, not more than Two Inches apart, on the Northerly Side of the Road leading from the said Turnpike Road to *Didsbury* Mill aforesaid, and such Screen or Fence shall be so erected from the Point where the Northerly Side of the said Road will join the Westerly Side of the said Turnpike Road to the Extent of Twenty-five Yards along the Northerly Side of the said Road to *Didsbury* Mill; and the said Company shall and are hereby required to keep and maintain for ever hereafter such last-mentioned Screen or Fence to the Extent of the said Twenty-five Yards in a good and perfect Condition, and to the Satisfaction of the Surveyor for the Time being of such Road, until the Time when the Holly and Quickset Fences to be planted by the said Company shall, in the Opinion of the Surveyor for the Time being of the said Trustees, to be certified in Writing under his Hand, form effective and safe Screens and Fences for the said Road.

As to the Mode of crossing over

XI. The said Extension shall be carried over the *Manchester South Junction and Altrincham* Railway in the Township of *Timperley*

Timperley in the Parish of *Bowdon* in the County of *Chester*, by means of a Bridge or Viaduct constructed of perpendicular Piers, which shall be erected on each Side of the said Railway, and of flat Girders resting upon such Piers, and extending in a clear Span from One of the said Piers to the other; and the said Bridge or Viaduct shall be such that between the said Piers for the whole Height thereof there shall be a clear horizontal Distance of Thirty Feet at the least; and that between the upper Surface of the Rails of the said *Manchester South Junction and Altrincham* Railway and the Underside of the said Girders, for the whole Length of such Girders from Pier to Pier, there shall be a clear vertical Distance or Headway of Fifteen Feet at the least; and the said Piers shall be erected in such Positions with reference to the said *Manchester South Junction and Altrincham* Railway as the Engineer for the Time being of the same Railway shall approve of.

the Manchester South Junction and Altrincham Railway.

XII. Except for the Site of the said Piers and of any Parts of the Line of the said Extension which shall be contiguous thereto and on the opposite Sides of such respective Piers from the Line of the said *Manchester South Junction and Altrincham* Railway, it shall not be lawful for the Company to purchase or take for the Purposes of this Act any Lands or Buildings of the said *Manchester South Junction and Altrincham* Railway Company without their Consent in Writing under their Common Seal.

As to Land to be taken from the Manchester South Junction and Altrincham Railway Company.

XIII. Except as in this Act otherwise expressly provided, nothing herein contained or hereby authorized shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Tolls, Charges, Powers, Franchises, or Authorities of or vested in or belonging to the *Manchester South Junction and Altrincham* Railway Company; but all their Right, Privileges, Tolls, Charges, Powers, Franchises, and Authorities under any Acts of Parliament or otherwise, are hereby expressly saved and reserved not only as against and with respect to the Company, but also as against and with respect to all other Companies and Persons whomsoever.

Saving Rights of the Manchester South Junction and Altrincham Railway Company.

XIV. The Company shall make a good Stone or Brick and Iron Bridge, with convenient Approaches, such Bridge and the Approaches to be of the Width of the present Road to the *Heaton Mersey* Bleach Works, and to be formed over the Railway where it crosses the said Road, and the Railway shall be formed so as to cross the said Road as far below the Level of the present Road as the Powers of the Company will allow; but it shall not be formed, or at any future Time be altered, so as to be inconsistent with, or in any way damage, prejudice, or injure the Water Rights and Privileges of the Owner and Lessee or Occupier of the said Bleach Works; and the said Bridge

As to crossing of Road to Heaton Mersey Bleach Works.

and

and Approaches, except the Roadway over the same, shall be hereafter kept in repair by the Company.

Preserving Water Rights connected with those Mills.

XV. The existing Watercourses, Rights, and Privileges of the Owner, Lessee, and Occupier of the said Bleach Works, in respect of draining, damming, turning, and impounding the Water in, from, through, and over Lands at *Heaton Mersey*, *Heaton Norris*, and *Cheadle*, and all other Rights incident thereto, to which the Owner, Lessee, or Occupier, any or either of them, for the Time being of the said Bleach Works, are, is, or shall be entitled, shall be preserved entire without Obstruction, permanent Disturbance, or other Injury by the Company, or by reason of their Railway or Works; and that the Company or their Railway or Works shall not prejudice or interfere with the Right of the said Owner, Lessee, or Occupier for the Time being, to make any further or other Drains, Watercourses, or impounding of Water in, from, through, or over the said Lands.

As to Reservoir.

XVI. The Company shall fill up the Reservoir, Number 52 on the Parliamentary Plan, on the North Side of the Railway, and the remaining Portion on the South Side thereof shall be increased by the Company, at their Expense, to such an Extent as to make it as capacious and beneficial as the existing Reservoir.

As to Sidings to Bleach Works.

XVII. The Company shall make and maintain the most convenient Communication between the Railway and the Bleach Works, by Sidings or otherwise, which Circumstances will admit of.

Works affecting London and North-western Railway to be done under Superintendence of its Engineer.

XVIII. The Railway and Works by this Act authorized shall, so far as the same would interfere with or affect the Property or Works of the said *London and North-western* Railway Company, be constructed under the Superintendence and to the reasonable Satisfaction of the Engineer of the said *London and North-western* Railway Company.

Not to take Lands of that Company except for Works.

XIX. It shall not be lawful to take, except for the Line of Railway hereby authorized, any of the Land or Property of the said *London and North-western* Railway Company.

Saving Rights of London and North-western Railway Company.

XX. Nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or belonging to the *London and North-western* Railway Company, except so far as the same are by this Act expressly altered or varied.

Land for extraordinary Purposes.

XXI. It shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes not exceeding Fifteen Acres, in addition to the Land which they are already or which by any other Act

Act to be passed in the present Session of Parliament they may be authorized to take for such Purposes.

Period within which Lands are to be purchased.

XXII. 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.

XXIII. The Works hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Money deposited to be forfeited in certain Events.

XXIV. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Eight thousand two hundred and fifty Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in *England*, in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Eight thousand two hundred and fifty Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the said Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the said Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and

form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland:* Provided, that at any Time after the passing of this Act, if a Bond in Twice the Amount of the said Sum of Eight thousand two hundred and fifty Pounds shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Eight thousand two hundred and fifty Pounds if the said Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Power to Trustees of Estates devised by W. Hulme, Esq., to sell in consideration wholly of an annual Rentcharge, &c.

XXV. That it shall be lawful for the Trustees of the Estates devised by *William Hulme* Esquire, with the Consent of the Court of Chancery, to sell and convey, either in consideration wholly of an annual Rentcharge to be payable by the Company to the said Trustees, their Successors and Assigns, and to be charged upon the Undertaking authorized by this Act, and recoverable in such Manner as is by the said "Lands Clauses Consolidation Act, 1845," provided and declared with respect to a Rentcharge payable to a Person entitled to dispose of Lands absolutely for his own Benefit, or in consideration partly of such an annual Rentcharge to be payable, charged, and recoverable as aforesaid, and partly of a Sum of Money in gross, any Lands forming Part of the Trust Estate of the said Trustees,

Trustees, which are authorized to be taken and used by the Company for the Purposes of this Act.

Same Tolls to be taken as on Main Line.

XXVI. It shall be lawful for the Company to demand and receive for and in respect of the Railway hereby authorized the same Tolls and Charges as they are authorized to demand and receive for and in respect of the *Warrington and Altrincham Junction* Railway; and the Railway hereby authorized shall, for the Purposes of Tolls, be Part of the *Warrington and Altrincham* Railway.

Maximum Charge.

XXVII. Provided always, That the maximum Tolls and Charges to be made by the Company in respect of the said Extension shall in no Case exceed the maximum Tolls and Charges authorized by the said recited Act.

Power to raise additional Capital by Creation of new Shares.

XXVIII. And whereas the estimated Cost of making the Extension is One hundred and ten thousand Pounds: It shall be lawful for the Company to raise, by creating new Shares, in addition to the Sums of Money which they are already authorized to raise, or which by any other Act of this Session of Parliament they may be authorized to raise, any further Sum of Money, not exceeding in the whole the Sum of One hundred and ten thousand Pounds.

New Shares to be considered same as original.

XXIX. The Capital so to be raised by the Creation of new Shares shall be divided into Shares of such Amount as will conveniently allow the same to be apportioned according to the Order of any Ordinary or Extraordinary Meeting of the Company, and shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital of the Company, except as to the Times of making Calls thereon, and the Amount of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit.

Limiting Amount of Calls, and Interval for making them.

XXX. Five Pounds *per* Share shall be the greatest Amount of any One Call which shall be made in respect of such new Shares, and Three Months at the least shall be the Interval between successive Calls, and not more than Three Fifths of the Amount of any Share shall be called in any One Year.

Dividends on new Shares.

XXXI. The Dividends upon the Shares to be created under the Powers of this Act shall be calculated upon the Amount of Calls paid thereon at the Time of the Declaration of such Dividend, but no Dividend shall accrue due or be payable in respect of the Shares hereby

authorized

authorized to be raised until the said Extension shall have been made and opened to the Public.

As to Votes of Proprietors of new Shares.

XXXII. The Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if they had been possessed of original Shares in the Company.

Power to borrow on Mortgage.

XXXIII. After the whole of the Sums which the Company are by this or the recited Act authorized to raise by Shares shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any Ordinary or Extraordinary Meeting of the Company, provided that such Sums of Money do not exceed in the whole Thirty-six thousand six hundred Pounds, in addition to the Sums which they are already or which by any other Act passed in the present Session of Parliament they may be authorized to borrow.

Provisions of 8 & 9 Vict. c. 16. as to Money borrowed extended to this Act.

XXXIV. The Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money and the Conversion of borrowed Money into Capital, shall extend to the Money by this Act authorized to be borrowed.

Application of Monies raised.

XXXV. The Monies by this Act authorized to be raised, whether by Shares or Mortgage, shall be applied only in carrying the Undertaking into execution.

Interest not to be paid on Calls paid up.

XXXVI. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend 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 of "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

XXXVII. It shall not be lawful for the Company, out of any Money which they are at present authorized to raise, 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

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.

Alteration of Name.

XXXVIII. From and after the passing of this Act, the Name, Style, and Title of the Company shall be "The *Warrington and Stockport* Railway Company," instead of the *Warrington and Altrincham Junction* Railway Company; and by that Name the said Company shall henceforth have and exercise all the Powers now vested in the *Warrington and Altrincham Junction* Railway Company; and the said recited Act and this Act, and any other Act which may be passed in the present Session conferring further Powers upon the Company, shall be severally read and interpreted as if the Name the *Warrington and Stockport* Railway Company were inserted throughout, in lieu of the Name of the *Warrington and Altrincham Junction* Railway Company.

Actions not to abate.

XXXIX. 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 *Warrington and Altrincham Junction* 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 *Warrington and Altrincham Junction* Railway Company, or the *Warrington and Altrincham Junction* 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 *Warrington and Altrincham Junction* Railway Company, or that the said Railway had been called or known within that Period by the Name of the *Warrington and Altrincham Junction* Railway, and 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 *Warrington and Stockport* Railway 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 *Warrington and Stockport* Railway Company, and their Undertaking by the Name of the *Warrington and Stockport* Railway, 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 *Warrington and Stockport* Railway Company, and as if their Undertaking had been called and known by the Name of the *Warrington and Stockport* Railway.

Railways, &c., 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., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

XL. 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 another Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the Fifteenth Year of the same Reign, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the Company or their 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.

XLI. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Act authorized to be made 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 or the said first-mentioned Act, or of the Rates for small Parcels.

XLII. All

XLII. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged by the Company. Expenses of Act.

XLIII. In citing this Act for any Purpose it shall be sufficient to describe it as "The *Warrington and Stockport* Act, 1853." Short Title.

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