



### CHAPTER lxxxii.

An Act to confer further powers upon the Manchester Sheffield and Lincolnshire Railway Company the Manchester South Junction and Altrincham Railway Company and the Wigan Junction Railways Company and for other purposes. A.D. 1894.  
[20th July 1894.]

**W**HEREAS it is expedient that the Manchester Sheffield and Lincolnshire Railway Company (herein-after called "the Company") should be authorised to construct the railways and deviation railways in the west riding of the county of York and the counties of Nottingham Leicester Warwick and Northampton herein-after described and to abandon the portions of their authorised railways which will be rendered unnecessary by the construction of such deviation railways :

And whereas it is expedient that the Company should be authorised to acquire by compulsion or agreement for the purposes of their undertaking the lands herein-after described :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (Extension to London &c.) Act 1893 (herein-after called "the Extension to London Act 1893") for the compulsory purchase of lands for the railways numbered 1 and 2 authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 and described in section 4 of that Act and also the time limited by the Manchester Sheffield and Lincolnshire Railway Act 1890 for the completion of the said railways should be further extended :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway Act 1890 for the completion of the works authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 and described in sub-sections 8 and 9 of section 4 of that Act should be further extended :

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And whereas it is expedient that the time limited by the Extension to London Act 1893 for the compulsory purchase of lands for the widening of the Company's main line at Ardwick and Openshaw authorised by the Manchester Sheffield and Lincolnshire Railway Act 1889 and described in section 5 of that Act and also the time limited by the Manchester Sheffield and Lincolnshire Railway Act 1889 for the completion of the said railway widening should be further extended :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (Various Powers) Act 1891 for the compulsory purchase of lands for the Railway (No. 2) and the widening of the portions of railway described in and authorised by section 5 of that Act and granted to the Manchester South Junction and Altrincham Railway Company should be further extended :

And whereas it is expedient that the Manchester South Junction and Altrincham Railway Company should be authorised to acquire by compulsion or by agreement for the purposes of their undertaking the lands herein-after described :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (Various Powers) Act 1891 for the completion of the works of Railway C. authorised by the Wigan Junction Railways Act 1876 should be further extended :

And whereas it is expedient that further provision be made respecting the holding and disposal of lands belonging to the Company and to the Wigan Junction Railways Company respectively :

And whereas it is expedient that such further powers as are herein-after contained should be granted to the Company :

And whereas plans and sections showing the lines and levels of the railways and deviation railways and other works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act and plans of the other lands by this Act authorised to be taken compulsorily with books of reference thereto were duly deposited with the respective clerks of the peace for the west riding of the county of York and the counties of Nottingham Leicester Warwick Northampton Buckingham Chester and London and are herein-after respectively referred to as the deposited plans sections and books of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

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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 as follows:—

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1. This Act may be cited as the Manchester Sheffield and Lincolnshire Railway Act 1894. Short title.

2. The Lands Clauses Acts the Railways Clauses Consolidation Act 1845 Part I. (relating to the construction of a railway) and Part II. (relating to extension of time) of the Railways Clauses Act 1863 as amended by any subsequent Act are except where expressly varied by this Act incorporated with and form part of this Act. Incorporation of general Acts.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction. The expressions "the railway" and "the railways" mean respectively the railways and deviation railways and other works by this Act authorised the expression "the Act of 1883" means the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 the expression "the Act of 1889" means the Manchester Sheffield and Lincolnshire Railway Act 1889 the expression "the Act of 1890" means the Manchester Sheffield and Lincolnshire Railway Act 1890 the expression "the Act of 1891" means the Manchester Sheffield and Lincolnshire Railway (Various Powers) Act 1891 the expression "the Extension to London Act 1893" means the Manchester Sheffield and Lincolnshire Railway (Extension to London &c.) Act 1893 and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute. Interpretation of terms.

4. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the railways and deviation railways and alteration of levels and substitution of embankments for viaducts of portions of the railways authorised by the Extension to London Act 1893 and works herein-after described with all proper stations sidings approaches works and conveniences connected Power to make railways.

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therewith respectively and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose The railways and other works herein-before referred to and authorised by this Act are—

- (1) A Railway (No 1) 3 furlongs 8·10 chains in length wholly in the west riding of the county of York commencing in the parish of Darfield by a junction with the Houghton Main Branch Railway of the Company and terminating in the parish of Felkirk ;
- (2) A Railway (No. 2) 1 mile 4·35 chains in length wholly in the parish of Kirkby-in-Ashfield in the county of Nottingham commencing by a junction with the Railway No. 2 authorised by the Manchester Sheffield and Lincolnshire Railway Act 1891 and terminating on the easterly boundary fence of the road numbered 792 (known as Mill Lane) on the Ordnance map of Nottinghamshire (Northern Division) Sheet XXVII. scale  $\frac{1}{2500}$  ;
- (3) A Deviation Railway (No. 1) 5 miles 7·2 chains in length commencing in the parish of Wilford in the county of Nottingham by a junction with the Railway No. 1 authorised by the Extension to London Act 1893 and terminating in the parish of East Leake in the same county by a junction with the same authorised railway ;
- (4) A Deviation Railway (No. 2) 7 miles 5·7 chains in length commencing in the parish of Shawell and county of Leicester by a junction with the Railway No. 2 authorised by the Extension to London Act 1893 and terminating in the parish of Willoughby in the county of Warwick by a junction with the Railway No. 3 authorised by the same Act ;
- (5) A Deviation Railway (No. 3) 6 furlongs 1 chain in length commencing in the parish of Clifton-upon-Dunsmore and county of Warwick by a junction with the said Deviation Railway No. 2 and terminating in the same parish by a junction with the Rugby and Peterborough branch of the London and North Western Railway ;
- (6) An alteration of the levels (No. 1) of a portion of the Railway No. 1 authorised by the Extension to London Act 1893 wholly in the parish of Wilford in the county of Nottingham commencing at a point on the centre line marked and measured on the plans of that railway deposited with the clerk of the peace for the county of Nottingham with reference to that Act eleven miles one furlong and five chains or thereabouts from

the commencement thereof and terminating at a point marked on the said centre line twelve miles six furlongs or thereabouts from the commencement of the said railway ;

- (7) An alteration of the levels (No. 2) of a portion of the said Railway No. 1 wholly in the county of Leicester commencing in the parish of Barrow-upon-Soar at a point on the centre line marked on the plans of that railway deposited with the clerk of the peace for the county of Leicester with reference to that Act twenty-six miles one furlong or thereabouts from the commencement thereof and terminating in the parish of Rothley at a point on the said railway marked on the said plans twenty-eight miles one furlong or thereabouts from the commencement of the said railway ;
- (8) An alteration or diversion of the public road leading from Stanford-upon-Soar to Loughborough commencing in the parish of Stanford-upon-Soar in the county of Nottingham at a point thirteen chains or thereabouts measured along the said road in an easterly direction from the intersection of that road with the centre line of the Railway No. 1 authorised by the Extension to London Act 1893 shown on the plans of that railway deposited with the clerk of the peace for the county of Nottingham with reference to that Act and terminating in the parish of Loughborough in the county of Leicester at a point twenty-one chains or thereabouts measured along the said road in a south-westerly direction from the intersection of that road with the said centre line of the Railway No. 1 ;
- (9) An alteration or deviation of the levels of the public road leading from Cosby to Willoughby-Waterless wholly in the county of Leicester commencing in the parish of Willoughby-Waterless at a point nine chains or thereabouts measured along the said road in an easterly direction from the intersection of that road with the centre line of the Railway No. 2 authorised by the Extension to London Act 1893 shown on the plans of that railway deposited with the clerk of the peace for the county of Leicester with reference to that Act and terminating in the parish of Cosby at a point five chains or thereabouts measured along that road in a westerly direction from the intersection of that road with the centre line of the said Railway No. 2 ;
- (10) An alteration or diversion of the public road leading from Lutterworth to Gilmorton wholly in the parish of Lutterworth in the county of Leicester commencing at a point seven chains or thereabouts measured along that road in a north-easterly direction from the intersection of that road with the centre line

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of the said Railway No. 2 authorised by the Extension to London Act 1893 and terminating at a point nine chains or thereabouts measured along that road in a south-westerly direction from the intersection of that road with the centre line of the said Railway No. 2;

(11) The substitution of a solid embankment for the viaduct shown on the deposited sections of the Railway No. 3 authorised by the Extension to London Act 1893 in the parish of Upper Shuckburgh and county of Warwick and the parish of Catesby and county of Northampton between a point marked and measured on the deposited sections of that authorised railway nine miles six furlongs 8·8 chains and a point nine miles seven furlongs 3·7 chains marked and measured on the same sections the length of the embankment so to be substituted being one hundred and ten yards or thereabouts;

(12) The substitution of a solid embankment for the viaduct shown on the deposited sections of the Railway No. 3 authorised by the Extension to London Act 1893 in the parish of Catesby and county of Northampton between a point marked on the deposited sections of that authorised railway ten miles three furlongs and a point ten miles three furlongs six chains marked and measured on the same sections the length of the embankment so to be substituted being one hundred and twenty-six yards or thereabouts;

(13) The substitution of a solid embankment for a portion of the viaduct shown on the deposited sections of the Railway No. 4 authorised by the Extension to London Act 1893 in the parish of Brackley St. Peter in the county of Northampton and the parish of Turweston in the county of Buckingham between a point marked and measured on the deposited sections of that authorised railway ten miles eight chains and a point ten miles two furlongs one chain marked and measured on the same sections the length of the embankment so to be substituted being fifty-one yards or thereabouts.

Power to  
abandon por-  
tions of  
certain  
railways  
authorised by  
the Exten-  
sion to  
London Act  
1893.

5. The Company shall abandon the construction of the following portions of railway authorised by the Extension to London Act 1893 (that is to say) :—

So much of Railway No. 1 Railway No. 2 Railway No. 3 and Railway No. 5 as will be rendered unnecessary by the construction of the said intended deviation railways and works numbered respectively (3) (4) and (5) in the immediately preceding section;

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So much of Railway No. 2 as lies between the north side of Castle Street in the borough of Leicester and the south side of a road or street No. 39 in the parish of St. Mary in the same borough shown on the plans of the said Railway No. 2 deposited with the clerk of the peace for the county of Leicester with reference to the Extension to London Act 1893. A.D. 1894.

6. The abandonment by the Company under the authority of this Act of any portion of any railway or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Extension to London Act 1893. Compensation for damage to land by entry &c. for purposes of railways abandoned.

7. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to any portions of the railways and works authorised to be abandoned by this Act the Company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof. Compensation to be made in respect of railways abandoned.

8. In constructing the deviation Railway No. 2 by this Act authorised the Company shall not without the consent in writing of the Warwickshire County Council in any way interfere with the bridge (commonly known as "Caves Inn Bridge") in the parish of Shawell in the county of Leicester and the parish of Clifton-upon-Dunsmore in the county of Warwick carrying the highway numbered 8 in the said parish of Shawell and 1a in the said parish of Clifton-upon-Dunsmore on the deposited plans. For the protection of the Warwickshire County Council.

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For the  
protection of  
the Rugby  
Local Board.

9. For the protection of the Rugby Local Board (in this section called "the local board") the following provisions shall have effect unless otherwise agreed on between the Company and the local board (that is to say) :—

(1) In this section the expression "the plan" means the plan signed in duplicate by John Henry Brierley on behalf of the local board and by Francis Fox on behalf of the Company and the expression "the railway" means the Deviation Railway No. 2 by this Act authorised and the expression "mains" includes the mains pipes and apparatus of the local board used for the supply of water ;

(2) The Company will at the point marked A on the plan at the level shown on the deposited plans construct an iron girder bridge with a clear width between the piers or abutments thereof of not less than forty feet and will construct the abutments of the said bridge of such a depth that a height of not less than fourteen feet six inches may be maintained between the underside of the girders of the bridge and any road which may be constructed thereunder and shall for the whole length of the said arch or bridge provide and lay in concrete below such surface or under the embankment as shall be required by the surveyor of the local board of which requirement the said surveyor shall give notice before the construction of the said bridge two brick culverts having respectively the internal diameter of two feet six inches and three feet the former to be for the sewerage of the said street and the latter for the surface drainage thereof ;

(3) The Company shall construct a public foot and barrow way to connect South Street and Chester Street and shall carry the railway over the same by an arch having throughout a clear width of not less than ten feet and a clear headway of not less than nine feet and shall lay therein for the whole width between the boundary fences of the property of the Company the necessary water mains and shall connect the same with the water mains laid in Chester Street and South Street respectively ;

(4) The Company shall carry the sewer and surface water drain at the points respectively marked on the plan with the letters B C E F and H under the embankment of the railway by brick culverts having an internal diameter of not less than in the case of every sewer two feet six inches and in the case of every surface water drain three feet ;

(5) In every case in which a sewer or a surface drain passes under the railway the Company shall construct on each side



- thereof a manhole not less than three feet by three feet internal measure with proper covers and footings to afford access to the said several sewers and surface water drains respectively ;
- (6) The Company shall form sewer (with two nine-inch sewers) flagpave and complete the proposed deviation of Rokeby Street and shall provide and lay therein a water main and connect the same respectively with the mains now laid in Rokeby Street and Sun Street ;
- (7) The Company shall construct a brick culvert with an internal diameter of not less than three feet to carry the watercourse at the point marked with the letter D on the plan under the embankment ;
- (8) The Company shall so construct the bridges to carry the roads respectively numbered 89 and 96 on the deposited plans in the parish of Rugby over the railway as to admit of the local board carrying thereover a sewer with an internal diameter not exceeding two feet six inches and a surface water drain with an internal diameter not exceeding three feet ;
- (9) If at any time hereafter the local board shall be desirous of constructing and maintaining a sewer and surface water drain along the road No. 102 on the deposited plans the Company will at the request and at the cost of the local board construct under their railway a sewer and surface water drain of such materials and in accordance with such plan and section as shall be reasonably approved by the surveyor of the local board so as to enable the local board to connect their sewer and drain in the said road under the railway and will when constructing the bridge for carrying the said road over the railway make all suitable and proper provision for carrying two sewers or drains of at least three feet each in diameter through the abutments of the said bridge ;
- (10) The Company shall to the reasonable satisfaction of the local board place and maintain a gas lamp in the bridge carrying the footpath under the railway connecting Chester Street and South Street and shall light and keep lighted the same with gas during the hours prescribed by the local board ;
- (11) The provisions of sections 18 to 23 of the Railways Clauses Consolidation Act 1845 shall as far as practicable extend and apply to and in relation to the mains of the local board and to the local board in respect thereof as though the local board were a gas or water company or society ;

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- (12) The Company shall not interfere with any sewer or drain except so far as may be necessary for the connexion herein-after mentioned until they shall have provided a substituted sewer or drain and connected the same with the sewer or drain interfered with. Nothing in this section shall authorise the Company to connect a surface water drain with a sewer of the local board for carrying sewage or vice versâ ;
- (13) The Company shall give the local board not less than six months notice of their intention to commence their works between the points marked respectively four miles and four miles and five furlongs on the deposited plans relating to Deviation Railway No. 2 and before they commence the same they shall pay to the local board the sum of five thousand pounds to be carried by the local board to the credit of the capital account of their waterworks undertaking and expended by them in the improvement thereof ;
- (14) The Company shall to the reasonable satisfaction of the surveyor of the local board when constructing their railway in the fields respectively numbered 9 and 10 and across the road numbered 18 in the deposited plans and contemporaneously therewith connect the catchwater drains of the local board in those fields and in that road and which will be severed by the construction of the railway by means of pipes or syphons across the railway and will at all times repair and keep in repair the said pipes and syphons so that the water of the catchwater drains may so far as the said pipes and syphons may be effectual for that purpose (but not further or otherwise) continue to flow across the site of the railway ;
- (15) The payment by the Company of the said sum of five thousand pounds and the diversion of the said catchwater drains in manner in this section provided shall be accepted by the local board as full compensation for any abstraction of water which may arise by the construction and maintenance by the Company of the said Deviation Railway No. 2 ;
- (16) All works to be executed under the provisions of this section and all works affecting the streets sewers drains or mains vested in the local board shall be executed at the cost in all respects of the Company and to the reasonable satisfaction and under the superintendence of the surveyor of the local board and in accordance with plans sections and specifications to be submitted by the Company to the local board and approved by such surveyor before the commencement of such works provided that if such surveyor do not within twenty-one

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days after the submission thereof signify his approval or disapproval or his requirements in respect of such plans sections and specifications respectively he shall be deemed to have approved thereof ;

- (17) The Company shall pay to the local board the reasonable costs incurred by them in respect of the examination of the said plans sections and specifications and the superintending of the execution of the said works ;
- (18) Subject to the special provision in this section as to the time for the payment to the local board of the said sum of five thousand pounds all moneys payable to the local board by the Company shall be so paid on demand and in default thereof may be recovered by the local board from the Company with full costs of suit in any court of competent jurisdiction ;
- (19) If any difference arise between the Company and the local board touching this section or anything to be done or not to be done or any moneys to be paid thereunder (other than the said sum of five thousand pounds) such difference shall be determined by an engineer to be appointed (unless otherwise agreed on) by the President of the Institution of Civil Engineers and the cost of the arbitration and award shall be borne and paid as such engineer shall direct ;
- (20) The Company and the local board may agree for any variation or alteration of the manner in which the works in this section provided for shall be executed.

**10.** In constructing the Deviation Railway No. 2 by this Act authorised (in this section called "the railway") between the points marked on the deposited plans three miles five furlongs and three miles six furlongs in the parish of Rugby in the county of Warwick the following stipulations shall apply for the benefit of the following landowners viz. Theodore Marc Wratishaw the trustees of the will of Joseph Haswell deceased and the trustees of the will of John Parnell deceased respectively (and which said landowners are herein after referred to as the said owners) so far as they or any of them are legally entitled to the uninterrupted flow of water arising on the north-east side of the said railway and now flowing along the stream known as the South Brook but not further or otherwise viz. :—

For the protection of certain landowners in Rugby.

- (1) The Company shall when constructing the railway make and for ever maintain such pipes syphons and other works as shall be necessary for conveying the water now flowing or which may from time to time continue to flow along the stream called the South Brook and which except for the construction of the railway would flow across the land on which the said

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railway is intended to be constructed so that the said water may continue to flow from the north-east to the north-west side of the intended railway and be delivered into the said brook :

- (2) In the event of the pipes syphons and other works to be constructed by the Company in manner aforesaid in the judgment of the arbitrators or umpire herein-after referred to not being effectual for causing the said water to continue to flow as herein-before provided and the said owners sustaining any damage or injury thereby the Company shall pay such compensation to the said owners for the injury sustained by them by reason of the said loss of water as shall be determined by two arbitrators to be appointed—one by the said owners claiming compensation on the one hand and one by the Company on the other hand and in case of difference between the said arbitrators by an umpire to be appointed by them or failing agreement as shall be appointed by the President for the time being of the Institution of Civil Engineers whose decision shall be binding and conclusive and any arbitration under this enactment shall be conducted as if the same had been a submission to arbitration under the Arbitration Act 1889 And the arbitrators or umpire shall determine and award in one award what sum (if any) shall be payable to each of the landowners respectively.

For the  
protection of  
the London  
and North  
Western  
Railway  
Company.

**11.** The following provisions for the protection of the London and North Western Railway Company (herein-after called “the North Western Company”) shall apply and have effect :—

- (1) The Company shall construct the railways and works by this Act authorised so far as the same pass over adjoin or affect the railways lands or works of the North Western Company in such lines within the limits of deviation shown on the deposited plans as shall be approved by Francis Stevenson or other the principal engineer for the time being of the North Western Company (herein-after referred to as “the said principal engineer”) and so as to leave undisturbed at all times the lines of railway and other works connected therewith of the North Western Company and so as in no way to obstruct impede or interfere with the free and uninterrupted and safe use of the said railways of the North Western Company or either of them or with the traffic thereon and if any such obstruction or interference shall be caused or take place the Company shall pay to the North Western Company full compensation in respect thereof to be recovered with full costs in any court of competent jurisdiction ;

- (2) The Company shall carry the Deviation Railway No. 2 where the same is intended to cross the main line of railway of the North Western Company and that Company's Northampton and Rugby and Rugby and Stamford Railways and the lands or property belonging to or used or occupied by the North Western Company at or near the said crossing by means of arching or viaduct or by wrought-iron or steel girder bridges with wrought-iron flooring of the clear spans and headways of not less than the widths and heights as shown on the plan and section signed by Francis Fox on behalf of the Company and by Francis Stevenson on behalf of the North Western Company ;
- (3) The junction of Deviation Railway No. 3 with the Rugby and Stamford Railway of the North Western Company shall be only at such a point within the limits of deviation as shall be approved by the said principal engineer ;
- (4) If by reason of the construction of the said railways hereby authorised it shall become necessary to add to or to alter the signal or signals upon the said railways of the North Western Company the same shall be so added to or altered by the North Western Company and the reasonable expense thereof shall be repaid to that company by the Company ;
- (5) The Company shall construct the said portions of railways where the same will pass over the railways of the North Western Company and all the works both temporary and permanent necessary and incident to the construction thereof so far as they affect the property and works of the North Western Company in accordance with the provisions of this section and according to plans sections and specifications and of such quality and strength of materials and in every other respect as shall be previously submitted to and approved in writing by the said principal engineer and the Company shall not commence the construction of the said portions of railways or enter upon or interfere with any land works or property belonging to or used by the North Western Company until such plans sections and specifications have been so submitted and approved Provided always that if the said principal engineer shall for the period of one month neglect or refuse to approve such plans sections or specifications or shall disapprove the same and in case of the said principal engineer and the engineer of the Company failing to agree or of any difference arising between them then the said portions of railways and the said works shall be constructed

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according to plans sections and specifications to be submitted to and approved (subject however to the special provisions of this section) by an engineer to be agreed upon or in default of agreement to be appointed at the request of either the Company or the North Western Company by the President for the time being of the Institution of Civil Engineers ;

(6) The said portions of railways and all works necessary or incident to the construction thereof or affecting the property or works of the North Western Company shall be executed by and in all things at the expense of the Company and under the superintendence and to the satisfaction of the said principal engineer ;

(7) The Company shall not except with the previous consent of the North Western Company under their common seal purchase or acquire any lands or property of the North Western Company but the Company may purchase and take and the North Western Company shall sell and grant accordingly an easement or right of using so much of the lands of the latter Company as may be necessary for the construction of the said portions of railways in accordance with the provisions of this section ;

(8) During the construction of the said portions of railways across and adjoining and near to or affecting the railways property and works of the North Western Company the Company shall bear and on demand pay to that Company all expense of employment by them of a sufficient number of inspectors or watchmen to be appointed by that Company for watching their railways and the works thereof with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident which may arise from any of the operations or from the acts or defaults of the Company or their contractors or any person or persons in the employment of the Company or their contractors with reference thereto or otherwise ;

(9) The Company shall at all times maintain the said portions of railways and all the works connected therewith and incident thereto by which the said railways shall be carried across and adjoining the railways works and lands of the North Western Company in substantial repair and good order to the reasonable satisfaction in all respects of the said principal engineer and if and whenever the Company fail so to do the North Western Company may make and do in and upon as

well the lands of the Company as their own lands all such works repairs and things as they may reasonably think requisite in that behalf and the sum from time to time certified by the said principal engineer to be the reasonable amount of expenditure shall be repaid to the North Western Company by the Company and in default may be recovered by them from the Company with full costs in any court of competent jurisdiction ;

- (10) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the North Western Company all costs losses damages and expenses which may be occasioned to that Company or to any of their railways works or property or to the traffic thereon or otherwise by reason of the execution or failure of the Company's railways and the works in connexion therewith or of any of the persons in their employ or of their contractors or others and the Company will effectually indemnify and hold harmless the North Western Company from all claims and demands upon or against them by reason of such execution or failure and of such act or omission ;
- (11) If in the opinion of the North Western Company or in case of difference between them and the Company of an arbitrator to be appointed as herein-after provided it shall be necessary for the North Western Company to purchase or pay compensation for any minerals required to be left unworked for the protection and safety of any works constructed under the powers of this Act or for any additional minerals beyond those which but for this Act would have been required to be so left unworked then the Company shall on demand pay to the North Western Company all costs and expenses incurred by them in relation to any such purchase or payment of compensation and the amount of such costs and expenses or as the case may be the amount of the additional costs and expenses shall in case of difference be determined by arbitration as herein-after provided ;
- (12) If any difference shall arise between the respective engineers of the Company and the North Western Company as to the reasonableness of the plans sections and specifications herein-before provided for or as to the purchase or compensation of mines herein-before provided for such difference shall be referred to and be determined by an engineer to be mutually nominated by such respective engineers or failing agreement to be

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appointed by the President of the Institution of Civil Engineers on the application of the Company or the North Western Company;

- (13) The Company and the North Western Company may agree for any variation or alteration upon and within the lands belonging to them respectively in the works in this section provided for or in the manner in which the same shall be executed.

Running powers to London and North Western Railway Company.

**12.** The London and North Western Railway Company may have and exercise over the Railway No. 2 by this Act authorised the same running and other powers and privileges as are conferred on that Company by an agreement dated first August one thousand eight hundred and eighty-nine made between the London and North Western Railway Company and the Company and scheduled to and confirmed by the London and North Western Railway Act 1890 subject in all respects to the terms conditions and restrictions contained in that agreement.

For the protection of the Great Northern Railway Company.

**13.** For the protection of the Great Northern Railway Company (in this section called "the Great Northern Company") the following provisions shall have effect (that is to say):—

- (1) The Great Northern Company shall have and may exercise over and in respect of Railway No. 2 by this Act authorised the same powers and privileges as they have and may exercise over and in respect of Railways Nos. 4 and 5 and the deviation railway authorised by the Act of 1890 and the provisions of section 8 (Running powers to Great Northern Railway Company) of that Act shall extend and apply to and in relation to the said Railway No. 2 accordingly;

- (2) The provisions of the agreement made between the Company and the Great Northern Company dated the thirtieth day of January one thousand eight hundred and ninety-two and scheduled to and confirmed by the Extension to London Act 1893 shall extend and apply to and in relation to the Deviation Railways No. 1 No. 2 and No. 3 and the alterations by this Act authorised of the Railway No. 1 authorised by the Extension to London Act 1893 in the same manner and to the same extent as those provisions extend and apply to and in relation to the railways by that Act authorised and for portions of which the said deviations and alterations are substituted.

Inclination of roads.

**14.** In altering for the purposes of this Act the roads next herein-after mentioned the Company may make the same of any



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inclinations not steeper than the inclinations herein-after mentioned A.D. 1894.  
in connexion therewith respectively (that is to say) :—

No. on deposited Plans.	Parish.	Description of Road.	Intended Inclination.
	DEVIATION RAILWAY No. 2.		
35	Clifton-upon-Dunsmore -	Public - -	1 in 16 west.
25	Hillmorton - -	Public - -	1 in 13 west.

15. The Company may make the roadway over the bridges by which the following roads will be carried over the railways of such width between the fences thereof as the Company think fit not being less than the respective widths herein-after mentioned in connexion therewith respectively (that is to say) :— Widths of certain roadways.

No. on Deposited Plan.	Parish.	Description of Roadway.	Width of Roadway.
1	Cosby - - - -	Public - - -	20 feet.
1	Willoughby-Waterless - -	Public - - -	

16. The Company may divert the public highways referred to in the next following table in the manner shown upon the deposited plans and sections and when and as in each case the new portion of any road is made to the satisfaction of two justices and is open for public use may stop up and cause to be discontinued as a road so much of the existing road as will be rendered unnecessary by the new portion of road (that is to say) :— Power to divert roads as shown on deposited plans.

No. of Railway.	Parish.	No. on Plan.
Deviation Railway No. 2 -	Rugby - - - -	69
Alteration of Levels No. 2 -	Thurcaston - - - -	13
	Rothley - - - -	2
Alterations of roads - -	Stanford-upon-Soar - -	1
	Loughborough - - - -	3
Alterations of roads - -	Lutterworth - - - -	1

And when and so soon as each of the said roads is so stopped up all rights of way over the same shall cease and the Company may subject to the provisions of the Railways Clauses Consolidation Act

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A.D. 1894. 1845 with respect to mines lying under or near to the railways appropriate and use for the purposes of their undertaking the site of the roads stopped up as far as the same is bounded on both sides by lands of the Company.

Land for  
extra-  
ordinary  
purposes.

17. The quantity of land to be taken by the Company by agreement for the extraordinary purposes of this Act mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed ten acres but nothing in that Act or in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any land so taken.

Period for  
compulsory  
purchase of  
lands by  
Company.

18. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act:

Power to  
Company to  
acquire lands  
for general  
purposes.

19. Subject to the provisions of this Act the Company in addition to the other lands which they are by this Act authorised to acquire may from time to time enter upon take use and appropriate for carrying into effect the obligations incumbent upon them in pursuance of section 71 of the Extension to London Act 1893 the marginal note of which is "Restrictions on displacing persons of labouring class" all or any of the lands herein-after mentioned delineated on the deposited plans and described in the deposited books of reference (that is to say) :—

Certain lands and buildings comprising an area of four acres or thereabouts situate in the parish of St. Marylebone in the county of London bounded on the north-west by the St. John's Wood Road on the north-east by the House of Female Orphans and by Grove Road on the south-east by the Regent's Canal and by a house and garden known as The Poplars and on the north-west by Cunningham Place :

Buildings to be  
subject to  
Metropolitan  
Buildings Acts.  
Buildings not  
to be brought  
beyond  
general line  
&c.

Any buildings erected on the said lands shall be subject to the provisions of the Acts relating to buildings in the metropolis :

And it shall not be lawful for the Company to encroach upon any part of the surface of any street or footway or without the consent of the London County Council to erect or maintain any building beyond the general line of building in any street :

For protec-  
tion of the  
North Metro-  
politan Rail-  
way and  
Canal Com-  
pany.

Nothing in this section contained shall prejudice alter or affect the rights powers and authorities conferred upon and which may be exercised by the North Metropolitan Railway and Canal Company by virtue of the Regent's Canal City and Docks Railway Act 1882 or any other of the Acts of Parliament relating to that Company.

**20.** Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which other than parties to the agreement have an interest) required for the purposes of this Act in or over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

A.D. 1894.

Power to take easements &c. by agreement.

**21.** The Company may notwithstanding the provisions of the Railways Clauses Consolidation Act 1845 deviate from the levels of the railways herein-after mentioned authorised by the Extension to London Act 1893 as shown on the deposited sections thereof to any extent respectively not exceeding the following (that is to say):—

Power to deviate from levels of certain railways authorised by the Extension to London Act 1893.

Railway No. 3 parish of Woodford-cum-Membris in the county of Northampton between a point marked and measured on the deposited sections of that railway fifteen miles two furlongs four chains and the termination of that railway to an extent not exceeding seven feet up;

Railway No. 4 parish of Woodford-cum-Membris in the county of Northampton between the authorised commencement of that railway and the point marked and measured on the deposited sections of that railway two furlongs four chains from such commencement to an extent not exceeding seven feet up;

Railway No. 4 parish of Eydon in the county of Northampton between a point marked and measured on the deposited sections of that railway one mile one furlong two chains and a point marked and measured as aforesaid one mile five furlongs two chains to an extent not exceeding seven feet up;

Railway No. 4 parish of Sulgrave in the county of Northampton between a point marked and measured on the deposited sections of that railway four miles nine chains and a point marked and measured as aforesaid four miles six furlongs five chains to an extent not exceeding nine feet up.

**22.** The railways shall for the purposes of tolls rates and charges and subject to the provisions of this Act in all other respects be deemed part of the railways of the Company.

Tolls for use of railways.

**23.** If the railways be not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as may be then completed.

Period for completion of works.

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Imposing  
penalty un-  
less railways  
opened with-  
in the time  
limited.

24. If the Company fail within the period limited by this Act to complete the railways the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railways are completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the works and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening such lines by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Providing  
for appli-  
cation of  
penalty.

25. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent or the railways hereby authorised or any of them have been abandoned be paid or transferred to such receiver or be applied in the discretion of the court as part of the assets of the Company for the benefit of

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the creditors thereof and subject to such application shall be repaid or retransferred to the Company. A.D. 1894.

**26.** The purchase by the Manchester South Junction and Altrincham Railway Company for the purposes of their undertaking of the lands herein-after mentioned delineated on the deposited plans and described in the deposited books of reference is hereby confirmed (that is to say):—

Purchase by Manchester South Junction and Altrincham Railway Company of certain lands confirmed.

Certain lands in the township of Altrincham in the parish of Bowdon in the county of Chester lying and abutting upon the east side of the railway and station of that company at Altrincham:

But nothing in this Act shall exempt that company from any action indictment or other proceeding for nuisance in the event of any nuisance being caused by them upon the said lands or any part thereof.

**27.** The powers granted to the Company by the Extension to London Act 1893 for the compulsory purchase of lands for the Railways Nos. 1 and 2 authorised by the Act of 1883 and described in section 4 of that Act are hereby further extended and may be exercised by the Company for and during a period of two years from the second day of August one thousand eight hundred and ninety-four and on the expiration of that period those powers shall cease.

Extension of time for compulsory purchase of lands under Act of 1883.

**28.** The powers granted to the Company by the Extension to London Act 1893 for the compulsory purchase of lands for the widening of the Company's main line at Ardwick and Openshaw authorised by the Act of 1889 and described in section 5 of that Act are hereby extended and may be exercised by the Company for and during a period of two years from the twenty-sixth day of July one thousand eight hundred and ninety-four and on the expiration of that period those powers shall cease.

Extension of time for compulsory purchase of lands under Act of 1889.

**29.** The powers granted to the Manchester South Junction and Altrincham Railway Company by the Act of 1891 for the compulsory purchase of lands for the Railway No. 2 and the widening of the portion of the railways described in and authorised by section 5 of that Act are hereby extended and may be exercised by the Manchester South Junction and Altrincham Railway Company for a period of two years from the twenty-first day of July one thousand eight hundred and ninety-four and on the expiration of that period those powers shall cease.

Extension of time for compulsory purchase of lands by Manchester South Junction and Altrincham Railway Company under Act of 1891.

**30.** The time limited by the Act of 1890 for the completion of the Railways Nos. 1 and 2 authorised by the Act 1883 and described in section 4 of that Act is hereby further extended for three years from the second day of August one thousand eight hundred and

Extension of time for completion of railways authorised by Act of 1883.

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A.D. 1894. — ninety-four and that period shall for the purposes of section 27 of the Act of 1883 be deemed to be the period originally limited by that Act for the completion of those railways and works.

Extension of time for completion of certain works authorised by Act of 1883.

**31.** The time limited by the Act of 1890 for the completion of the works authorised by the Act of 1883 and described in sub-sections 8 and 9 of section 4 of that Act is hereby extended for a period of three years from the second day of August one thousand eight hundred and ninety-four and that period shall for the purposes of section 27 of the Act of 1883 be deemed to be the period originally limited by that Act for the completion of those works.

Extension of time for completion of widening of railway authorised by Act of 1889.

**32.** The time limited by the Act of 1889 for the completion of the widening of the Company's main line at Ardwick and Openshaw authorised by the Act of 1889 and described in section 5 of that Act is hereby extended for three years from the twenty-sixth day of July one thousand eight hundred and ninety-four and that period shall for the purposes of section 28 of the Act of 1889 be deemed to be the period originally limited by that Act for the completion of the said widening.

Extension of time for completion of Railway C authorised by the Wigan Junction Railways Act 1875.

**33.** The time limited by the Act of 1891 for the completion of Railway C authorised by the Wigan Junction Railways Act 1875 is hereby further extended for three years from the sixteenth day of July one thousand eight hundred and ninety-four and that period shall for the purposes of section 42 of the Wigan Junction Railways Act 1875 be deemed to be the period originally limited by that Act for the construction and completion of that railway.

Powers not to be exercised after extended periods.

**34.** If the railways and works respectively mentioned in the last four preceding sections shall not be completed within the extended periods respectively by this Act limited then on the expiration of those periods respectively the powers by the several and respective Acts mentioned in those sections and by this Act granted to the Company for completing the respective railways and works or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Restrictions on displacing persons of labouring class.

**35.** The Company the Manchester South Junction and Altrincham Railway Company and the Wigan Junction Railways Company (in this section referred to as "the companies" which expression shall also include any two or one of such companies) shall not under the powers of this Act or under the powers of any former Act extended by this Act purchase or acquire in any parish in the metropolis as defined by the Metropolis Management Act 1855 twenty or more houses or in any other city borough or urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have

been or on the fifteenth day of December next before the passing of this Act or of the respective former Act by which such purchase or acquisition was originally authorised as the case may be were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the companies—

(A) Shall have respectively obtained the approval in the case of the metropolis of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the respective fifteenth day of December last aforesaid or for such number of persons as the said Secretary of State or the Local Government Board (as the case may be) shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) Shall have respectively given security to the satisfaction of the said Secretary of State or the Local Government Board (as the case may be) for the carrying out of the scheme.

(2) The approval of the said Secretary of State or the Local Government Board (as the case may be) to any scheme under this section may be given either absolutely or conditionally and after the said Secretary of State or the Local Government Board (as the case may be) have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the said Secretary of State or the Local Government Board (as the case may be) may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the said Secretary of State or the Local Government Board (as the case may be) may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the

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A.D. 1894. said Secretary of State or the Local Government Board (as the case may be) out of the High Court.

(5) If the companies acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the said Secretary of State or the Local Government Board (as the case may be) by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the companies respectively may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by the companies respectively for the purposes of any scheme under this section in the same manner in all respects as if the Company purchasing were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The companies respectively may on any lands belonging to them or purchased or acquired under this section or under any provisional order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the companies respectively in pursuance of any scheme under this section shall for a period of twenty-five years from the date of such scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment Provided also that the said Secretary of State or the Local Government Board (as the case may be) may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as he or they may see fit.



(8) All buildings erected or provided by the Company within the metropolis for the purpose of any scheme under this section shall be subject to the provisions of the Metropolitan Building Act 1855 and the Metropolis Management Act 1855 and any Act or Acts amending those respective Acts.

(9) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the companies respectively for the purpose of any scheme under this section.

(10) The said Secretary of State or the Local Government Board (as the case may be) may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875.

(11) The Company shall pay to the said Secretary of State any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector.

(12) The companies respectively shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any provisional order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(13) Any houses on any of the lands shown on the plans deposited with reference to this Act or to any former Act the powers of which are revived or extended by this Act occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the companies respectively and for which houses no substitutes have been or are directed to be provided by any scheme approved by the said Secretary of State or the Local Government Board (as the case may be) under the powers of any previous Act relating to the companies respectively shall for the

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A.D. 1894. purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the said Secretary of State or the Local Government Board (as the case may be) is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the said Secretary of State or the Local Government Board (as the case may be) they might have been sufficient to accommodate.

(14) For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Power to apply corporate funds to purposes of Act.

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

Extending time for sale of certain superfluous lands.

**37.** Notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company with which that Act is incorporated the periods for and within which the Company may hold sell and dispose of any superfluous lands connected with their railways and situate in the parishes respectively described or mentioned in the First Schedule to this Act are hereby extended for the periods following (that is to say) As regards such of the said lands as are situate near to or adjoining any railway or station of the Company for the period of ten years from the passing of this Act and as regards the other of the said lands for the period of three years from the passing of this Act but the Company shall at the expiration of those respective periods sell and absolutely dispose of as superfluous lands all such parts of those lands as shall not then have been applied to or are not then required for the purposes of their undertaking.

Extending time for sale of certain superfluous lands of

**38.** Notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Wigan Junction Railways Company with which that Act is incorporated

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the periods for and within which that Company may hold sell and dispose of any superfluous lands connected with the railways or situate in the parishes respectively described or mentioned in the Second Schedule to this Act are hereby extended for the periods following (that is to say) As regards such of the said lands as are situate near to or adjoining any railway or station of that Company for the period of ten years from the passing of this Act and as regards the other of the said lands for the period of three years from the passing of this Act but that Company shall at the expiration of those respective periods sell and absolutely dispose of as superfluous lands all such parts of those lands as shall not then have been applied to or are not then required for the purposes of their undertaking.

A.D. 1894.  
—  
Wigan  
Junction  
Railways  
Company.

**39.** The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

Deposits for  
future Bills  
not to be  
paid out of  
capital.

**40.** Nothing in this Act contained shall exempt the Company or any company to which powers are by this Act granted or the railways of any such company from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels which the Company and any company to which powers are by this Act granted are authorised to take.

Provision as  
to general  
Railway  
Acts.

**41.** All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

Costs of Act.

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SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

SUPERFLUOUS LANDS SITUATED RESPECTIVELY IN THE PARISHES AND  
COUNTIES FOLLOWING:—

LANCASHIRE.		Darfield
Manchester		Doncaster
Ashton-under-Lyne		Fishlake
CHESHIRE.		Kirk Sandall
Stockport		Arksey
Mottram		Mexborough
Prestbury		Royston
Wilmslow		Hatfield
Mobberley		Sprotborough
Knutsford		Thorne
Holy and Undivided Trinity		Thrybergh
Shotwick		Wath-upon-Dearne
DERBYSHIRE.		Warmsworth
Glossop		Greasborough
Beighton		Felkirk
WEST RIDING OF THE COUNTY OF YORK.		Wragby
Penistone		Rawmarsh
Silkstone		Crofton
Tankersley		Nostel Extra Parochial
Ecclesfield		NOTTINGHAMSHIRE
Sheffield		Worksop
Handsworth		Babworth
Rotherham		Ordsall
Beighton		Clarbrough
Aston-cum-Aughton		Sturton-le-Steeple
Todwick		Bole
Wales		Saundby
Treeton		Beckingham
South Anston		South Leverton
Thorpe Salvin		North Leverton
Adwick-upon-Dearne		Treswell
Barnby-upon-Don		Rampton
Conisborough		LINCOLNSHIRE
		Gainsborough
		Blyton-cum-Wharton
		Northorpe

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A.D. 1894.

Kirton-in-Lindsey	Wickenby	
Hibaldstowe	Snelland	
Scawby-cum-Sturton	Scothern	
Bigby	Barlings	
Wrawby	Reepham	
Barnetby-le-Wold	Cherry Willingham	
Melton Ross	Holton-le-Moor	
Ulceby	Greetwell	
Thornton Curtis-cum-Burnham	Monk's Liberty Extra Parochial	
Killingholme	St. Mary-le-Wigford	} City of Lincoln
Habrough	St. Mark's	
Great Coates	St. Botolph	
Little Coates	Boultham	
Great Grimsby	Skellingthorpe	
Clee	Torksey	
Goxhill	Frodingham	
Stallingborough	Crowle	
Healing	Althorpe	
Barrow-upon-Humber	Worlaby	
Barton St. Mary		
North Kelsey		COUNTY OF THE CITY OF CHESTER.
South Kelsey		St. Oswald
Middle Rasen		
Market Rasen		FLINT.
Linwood		
Buslingthorpe	Hawarden.	

SECOND SCHEDULE.

SUPERFLUOUS LANDS OF THE WIGAN JUNCTION RAILWAYS COMPANY  
 SITUATED RESPECTIVELY IN THE PARISHES AND COUNTY FOLLOWING —

LANCASHIRE,

Warrington

Winwick

Wigan

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