



ANNO DECIMO

# GEORGII IV. REGIS.

\*\*\*\*\*

## *Cap. xxxv.*

An Act for enabling the *Liverpool* and *Manchester* Railway Company to make an Alteration in the Line of the said Railway, and for amending and enlarging the Powers and Provisions of the several Acts relating thereto. [14th *May* 1829.]

**W**HEREAS by an Act passed in the Seventh Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for making and maintaining a Railway or Tramroad from the Town of Liverpool to the Town of Manchester, with certain Branches therefrom, all in the County of Lancaster*, the several Persons thereby united and made One Body Corporate, by the Name and Style of “The *Liverpool* and *Manchester* Railway Company,” were authorized to make and maintain the said Railway or Tramroad in the Lines or Directions described and set forth in a certain Map or Plan and Book of Reference thereof, deposited with the Clerk of the Peace of the said County Palatine of *Lancaster*, as in the said Act is mentioned: And whereas by a certain other Act, passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act to enable the Company of Proprietors of the Liverpool and Manchester Railway to alter the Line of the said Railway, and for amending and enlarging the Powers and Provisions of the several Acts relating thereto*, the said Company of Proprietors were authorized and empowered to make such Deviations from or Alterations in the Line of the said Railway by the said first-recited Act authorized to be made, as in the Act now in recital are expressed and specified, and as described and set forth in a certain other Map or Plan and Book of Reference thereof, also deposited with the Clerk of the Peace of the said County, as in the

[*Local.*] 7 N said



7 & 8 G. 4.  
c. 21.

Powers of  
recited Acts  
extended to  
this Act (ex-  
cept such as  
are altered or  
repealed).

Power to  
make certain  
Alterations  
in the Line  
of Railway.

said last-recited Act is mentioned: And whereas it would materially improve the said Line of Railway, and greatly facilitate the Communication between the Towns of *Liverpool* and *Manchester*, if the said Railway was carried over the River *Irwell*, and made to terminate in the Town of *Manchester*, and if the other Deviations and Alterations herein-after mentioned and described were adopted; and it is therefore expedient that such Deviations and Alterations should be made, and that such Part or Parts of the said Line of Railway as will be thereby rendered useless and unnecessary should be abandoned: And whereas it is also expedient that some of the Powers and Provisions in the said several recited Acts, and also in another Act, passed in the Seventh and Eighth Year of the Reign of His present Majesty, intituled *An Act for amending and enlarging the Powers and Provisions of an Act relating to the Liverpool and Manchester Railway*, should be in part repealed, and in part altered and explained, and that further Powers should be granted: And whereas the several Purposes herein-before mentioned cannot be carried into execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Seventh Year of the Reign of His present Majesty, and also the said recited Act of the Seventh and Eighth Year of the Reign of His present Majesty, and also the said recited Act of the Ninth Year of the Reign of His present Majesty, and all the Powers, Exceptions, Penalties, Forfeitures, Payments, Rules, Remedies, Directions, Articles, Matters, and Things therein respectively contained, shall (except so far as the same, or any of them, is or are varied, altered, or repealed,) be good, valid, applicable, and effectual for carrying this Act into execution.

II. And be it further enacted, That it shall be lawful for the said *Liverpool* and *Manchester* Railway Company, and they are hereby authorized and empowered, to make such Deviations from or Alterations in the Line or Course in which the said Railway is by the said recited Acts of the Seventh Year of the Reign of His present Majesty and of the Ninth Year of the Reign of His present Majesty authorized to be made, as are herein-after expressed and specified; (that is to say,) from such Part of a certain Piece of Land laid out in Gardens, in the Township of *Salford* in the Parish of *Manchester*, belonging to the Earl of *Derby*, as is marked Number Forty-eight in the said Township of *Salford* on the Plan of the said Railway which pursuant to the Directions of the said Act of the Seventh Year of the Reign of His said Majesty is to be kept by the Clerk of the Peace of the said County of *Lancaster*, in a South-eastwardly Direction, in, through, over, or upon the said Township of *Salford*, and across the River *Irwell*, and in, through, over, and upon Part of the Township of *Manchester* within the said Parish of *Manchester*, and terminating in, at, or near to a certain Field or vacant Piece of Land lying on the eastwardly Side of *Water Street*, and on the northwardly Side of a Street called *Liverpool Road*, in the said Township of *Manchester*, and lying between the same Street and another Street there called *Charles Street*, in the same Township; and that



that the said Company shall and are hereby required and empowered (notwithstanding the Mortgages herein-after mentioned to the Commissioners for the Issue of Exchequer Bills, or their Secretary,) to abandon such Part or Parts of the said Line or Course expressed or defined by the said first-mentioned Act of the said Railway within the said Township of *Salford* in the said Parish of *Manchester* as by reason of the Deviation or Alteration hereby authorized will be rendered useless and unnecessary; and that all the Powers, Authorities, and Privileges by the said recited Acts given to or conferred upon the said Company, for making and maintaining such last-mentioned Part or Parts of the said Railway, shall, from and immediately after the making the Deviations or Alterations herein before authorized, cease and determine; nevertheless without Prejudice to the Sale, at any Time or Times hereafter by the said Company of Proprietors, of any Lands, Tenements, or Hereditaments, or Share or Shares, Interest or Interests in Lands, Tenements, or Hereditaments, which have been already purchased or agreed for by the said Company of Proprietors, or been valued by a Jury, pursuant to the said Acts or any of them, with reference to the Part or Parts so abandoned.

III. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Servants, Officers, and Workmen, to make, construct, and maintain the said Railway or Railways by the said recited Acts of the Seventh Year of the Reign of His present Majesty and the Ninth Year of the Reign of His present Majesty authorized to be made, together with proper Warehouses, Wharfs, Landing Places, Bridges, Steam and other Engines, Works, and Conveniences adjoining thereto or connected therewith in the Course or Direction herein-before mentioned, and more particularly delineated on the Map or Plan herein-after referred to.

Company  
empowered  
to make  
Railway in  
the Direction  
above men-  
tioned.

IV. And whereas a Map or Plan, describing the Line of the intended Deviations or Alterations, and the Lands in and through which the same respectively are intended to be made or carried, together with a Book of Reference thereto, containing a List of the Names of the Owners or reputed Owners and of the Occupiers of such Lands, hath been deposited in the Office of the Clerk of the Peace for the said County Palatine of *Lancaster*; be it therefore further enacted, That the said Map or Plan and Book of Reference, so deposited, shall remain with and be kept by the said Clerk of the Peace; and all Persons interested in any Manner in such Lands or Grounds shall, at all seasonable Times, have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom, at their Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of such Copies of or Extracts from the same; and the said Map or Plan and Book of Reference, or true Copies thereof, or of so much thereof as shall relate to any Matter that may be in question, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere; and the Company in making the said Deviations or Alterations shall not deviate more than One hundred Yards from the Course or Direction delineated in the said Map or Plan, or in such Manner

Plan and  
Book of Re-  
ference of the  
altered Line  
to be kept  
by the Clerk  
of the Peace,  
and be open  
to Inspection.

as

as to extend into the Lands or Grounds of any Person or Persons not mentioned in such Book of Reference, except as herein-after specially authorized.

Errors in  
Plan or Book  
of Reference  
not to pre-  
vent Execu-  
tion of Act.

V. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Deviations or Alterations upon, in, over, or through the Lands, Tenements, or Hereditaments upon, in, over, or through which such Deviations or Alterations are delineated on the said Map or Plan, although such Lands, Tenements, or Hereditaments, or any of them, or the Situation thereof respectively, or the Name of the Owners or of the Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule thereto; or in the said Book of Reference, if it shall appear to any Two or more Justices of the Peace for the said County Palatine of *Lancaster*, in case of a Dispute about the same, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of the said County.

Houses and  
Gardens not  
to be used  
unless spe-  
cified in the  
Schedule.

VI. Provided also, and be it further enacted, That nothing herein contained shall extend to authorize the said Company, or any other Person acting by or under their Authority, to take, use, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built on or before the Thirtieth Day of *November* One thousand eight hundred and twenty-eight, or any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, unless with the Consent in Writing of the Person or Persons being Owner or Owners thereof, or capacitated to sell the same, other than and except such as are specified in the Schedule to this Act.

If the Land  
not contract-  
ed for in Five  
Years; Power  
of purchasing  
to cease.

VII. Provided always, and be it further enacted, That if the said Company shall not within the Space of Five Years, to be computed from the passing of this Act, agree for, or otherwise cause to be valued and paid for, as in the first-recited Act is mentioned, the Houses, Buildings, or other Premises which they are by this Act empowered to purchase (or so much thereof as shall be deemed necessary or proper for the Purposes of this Act), then from thenceforth all the Powers which are hereby granted to them for such Purposes only shall cease, determine, and be utterly null and void.

Power to  
build Bridges  
over the  
River *Irwell*  
and over  
*Water Street*,  
*Manchester*.

VIII. And whereas the said Railway is intended to be carried over the River *Irwell*, and also over *Water Street* in the Township of *Manchester* in the said County, by means of Bridges; be it therefore enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, to erect and build a Bridge over the said River *Irwell* and the Towing Path thereof, and also a Bridge over the said Street called *Water Street*, in *Manchester* aforesaid, for the Purpose of carrying the said Railway over the same respectively; and



and that for the Purpose of building such Bridge over the *Irwell* it shall be lawful for the said Company, and they are hereby authorized and empowered, to make and build Abutments on the Banks and a Pier in the Bed of the said River, and, in order to make a good Foundation for the Abutments and Pier aforesaid, to drive Piles into the Banks and Bed of the said River, if the same shall be necessary or advisable, and to make, sink, and put down into the Water of the said River Cofferdams and all other necessary Works.

IX. Provided always, and be it further enacted, That the said Company shall not in driving such Piles or in making or putting down such Cofferdams, or in erecting or constructing such Bridge or the Abutments or Pier thereof, or in the necessary Repairs thereof, or in the Erection or Reparation of any future Bridge in lieu thereof, obstruct or impede the Navigation of the said River further or otherwise than shall be absolutely necessary; but the said Company shall and they are hereby required, from Time to Time and at all Times during the Progress of any of the said Works hereby authorized to be made, to leave a free, open, uninterrupted navigable Waterway in the said River of not less than Forty-five Feet in Width.

Not to injure the Banks or Bed, or obstruct the Navigation of the River.

X. Provided always, and be it further enacted, That the Keystone of each of the Two Arches of the said intended Bridge over the said River, and of every future Bridge, by Authority of this Act, over the said River, shall not be less than Twenty-nine Feet in Height from the Surface of the Water, according to the mean Level thereof at that Place, and that the Breadth of the said Arches within the Piers thereof shall not be less than Sixty-three Feet, and the Waterway between the Piers of the said Arches shall, after the said Bridge is complete, be left perfectly navigable, and that the Towing Path of the said River shall be carried under the westwardly Arch of the said Bridge, and shall not be less than Eight Feet in Width, and the Side Wall of the said Towing Path shall be built perpendicularly from the Bed of the said River in a Line with and to join the present Wall of the Junction Lock on the *Manchester, Bolton, and Bury* Canal, and so as not to encroach on the navigable Waterway thereof.

Regulating Height and Breadth of Arches.

XI. And be it further enacted, That in case the said Company shall, in the Execution of any of the Works by this Act authorized to be made, injure or damage the said River or the Banks or Bed thereof, they the said Company shall and they are hereby required immediately to repair and make good at their own Expence such Injury or Damage, and also pay to the Company of Proprietors of the *Mersey and Irwell* Navigation the full Amount of all Loss or Damage which they may thereby sustain or be put unto; and in case the said Railway Company shall not, on receiving Three Days Notice in Writing from the said Company of Proprietors of the *Mersey and Irwell* Navigation, repair and make good, or begin and proceed with all due Dispatch to repair and make good such Damage and Injury, it shall be lawful for the said Company of Proprietors of the *Mersey and Irwell* Navigation, and they are hereby authorized and empowered, at the Expiration of such Notice, by themselves, their Agents, Servants, or Workmen, to repair and make good such

Any Damage done by the Company to the River to be made good by them.

[Local.]

70

Injury



Injury or Damage, doing as little Injury to the said intended Bridge as may be, and forbearing to alter the Level or the Course of the said Railway thereover; and all the Expences thereof, and also the Loss and Damage occasioned thereby, shall be repaid by the said Railway Company to the said Company of Proprietors of the *Mersey* and *Irwell* Navigation; and in default of Payment thereof on Demand (so that such Demand be in Writing, and fully and accurately state the Particulars of all such Expences, Loss, and Damage,) the said Company of Proprietors of the *Mersey* and *Irwell* Navigation shall and may sue for and recover the same against and from the said Railway Company by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*; and in case by and during the Progress of the Works or the Repairs thereof by this Act authorized to be made, or by reason of any of the Causes aforesaid, the Flats or Barges navigating the same River shall not be able to pass along the same, or in case the Waterway of the said Navigation shall at any Time hereafter be reduced to a less Space in Width than Forty-five Feet, then and in every of the said Cases the said Railway Company shall pay unto the said Company of Proprietors of the *Mersey* and *Irwell* Navigation the Sum of Sixty Pounds *per* Day, as ascertained Damage for such Interruption, for each and every Day that the Navigation of the said River shall be so interrupted as aforesaid, and so long as the same shall continue, and so in proportion for any Period less than a Day, to be recovered in manner aforesaid; and also shall and will make Compensation to all other Parties navigating on the said River for all Loss or Injury which they may sustain by such Obstruction or Delay as aforesaid, to be recovered in like Manner.

Cart Road to  
be made on  
the Bridge.

XII. And be it further enacted, That the said Railway Company shall and they are hereby required to make a Cart Road, running parallel to the said Railway, along the said Bridge over the *Irwell*; and communicating from the Township of *Salford* to *Water Street* in the Township of *Manchester* aforesaid, of not less than Eighteen Feet in Width; and that it shall be lawful for the Company of Proprietors of the *Mersey* and *Irwell* Navigation, and their Lessees, Tenants, Servants, Workmen, and Labourers, with their Carts, Carriages, and Horses, at all Times to pass over and along the said Bridge to and from the Land belonging to the said Navigation Company lying in *Salford* aforesaid.

Regulating  
Height and  
Breadth of  
Arch over  
Water Street.

XIII. And be it further enacted, That the principal Opening or Arch of the said Bridge hereby authorized to be made over *Water Street* as aforesaid shall be constructed and built so as to leave a clear Roadway of not less than Twenty-four Feet between the Piers of the said Bridge, and such Opening or Arch shall not be less than Seventeen Feet in Height for the whole Width of such Roadway, and that the Piers of such principal Opening or Arch shall not exceed Two Feet in Thickness, and on each Side of the said Opening or Arch, on the Outside of the Piers thereof, there shall be made a public Footway of not less than Six Feet in Width and Twelve Feet in Height.

XIV. And

XIV. And be it further enacted, That the said Bridge for carrying the said Railway and Cart Road over the River *Irwell*, and also the said Cart Road, and also the said Bridge for carrying the said Railway over *Water Street*, shall from Time to Time and at all Times hereafter be kept in good Repair and Drop-dry by the said Railway Company.

Bridge and  
Cart Road to  
be kept in  
repair by  
Company.

XV. And be it further enacted, That on Completion of the said Bridge over *Water Street* aforesaid there shall be erected and maintained by the said Company a good and sufficient Screen of not less than Six Feet in Height from the Surface of the Railway over the same Bridge upon and along each Side thereof throughout the entire Crossing of the said Street, and for the further Extent of Five Yards in Length at both Ends and on each Side of the said Bridge.

Proper  
Screen to be  
provided to  
Sides of  
Bridge over  
*Water Street*.

XVI. Provided always, and be it further enacted, That the said Railway Company shall not purchase and take, for the Purposes of the said Railway, any more of the Land belonging to the said Company of the Proprietors of the *Mersey* and *Irwell* Navigation lying in the Township of *Salford*, and marked in the said Plan deposited at the Office of the Clerk of the Peace for the County of *Lancaster* with the Numbers Six, Seven, and Eight, than shall be necessary to make and construct a Road of the Breadth of Twenty-two Yards on the Surface thereof, unless with the Consent of the said Company of Proprietors of the *Mersey* and *Irwell* Navigation, their Successors and Assigns, first had and obtained; nor shall the said Railway Company deviate, in or upon the Land of the said Company of the Proprietors of the *Mersey* and *Irwell* Navigation, more than Five Yards from the Course and Direction of the said Railway as laid down in the said Map or Plan thereof deposited with the said Clerk of the Peace for the said County of *Lancaster*; and that the said Railway Company shall and will at their own Expence make and construct, and for ever after keep in good Repair, such and so many Communications over, upon, or under the said Railway, from the Land belonging to the said Company of Proprietors of the *Mersey* and *Irwell* Navigation on the one Side of the said Railway to the Land belonging to the said Navigation Company on the other Side of the said Railway, as may be necessary to secure to the said Navigation Company, their Successors and Assigns, Lessees and Tenants, free and commodious Access to the said Land on either Side of the said Railway for the convenient Occupation of the same, but so as not to obstruct the free Passage upon and along the said Railway; and shall and will also make and keep in repair as aforesaid such and so many proper Fences to the said Railway as may be necessary.

Limiting  
Quantity of  
Land to be  
taken from  
*Mersey* and  
*Irwell* Navi-  
gation Com-  
pany in *Sal-  
ford*.

XVII. And whereas by the said recited Act of the Seventh Year of His present Majesty it was enacted, that the Lands and Grounds to be taken or used for the Purposes of that Act should not exceed Twenty-two Yards in Breadth, except in those Places where it should be judged necessary for Waggon and other Carriages to turn or pass each other, or for raising Embankments for crossing Vallies or low Grounds, or in Cuttings, and not above One hundred and fifty Yards in Breadth in any Place, except at or near to the Termination of the said

So much of  
7 G. 4. c. 49.  
as limits the  
Quantity of  
Land to be  
taken for  
Wharfs, &c.  
near *Salford*,  
repealed.



said Lines within the Townships of *Liverpool* and *Salford* respectively, where Places not exceeding Two hundred Yards in Length by One hundred and fifty Yards in Breadth were to be set out and appropriated for Wharfs, Warehouses, and Buildings, Yards and Conveniences, and also except on Commons, Downs, or Waste Lands, without the Consent of the Owner of the Lands and Hereditaments adjoining to the said Railway or Tramroad: And whereas by reason of the Alteration in the Course of the said Railway authorized by this Act to be made the same will not now terminate in the Township of *Salford*; be it therefore enacted, That so much of the said recited Act of the Seventh Year of the Reign of His present Majesty as enacts, that at or near the Termination of the said Line within the Township of *Salford* a Place not exceeding Two hundred Yards in Length by One hundred and fifty Yards in Breadth is to be set out and appropriated for Wharfs, Warehouses, and Buildings, Yards and Conveniences, shall be and the same is hereby repealed.

Company  
empowered  
to purchase  
and hold cer-  
tain Lands  
and Premises  
at the Ter-  
mination of  
the Line in  
Manchester.

XVIII. And whereas the said Company of Proprietors have purchased certain Lands and Hereditaments situated between the River *Irwell* and *Water Street* in *Manchester* aforesaid, now or lately used by Messieurs *Rothwell* and *Harrison* as Dye Works, and have also contracted for the Purchase of a certain Field or vacant Piece of Land lying on the eastwardly Side of *Water Street* aforesaid, and on the northwardly Side of a Street called *Liverpool Road*, in the Township of *Manchester*, where the said Railway is by this Act authorized to terminate, and containing about Two hundred Yards in Length by about One hundred and eighty Yards in Breadth; be it therefore enacted, That it shall be lawful for the said Company of Proprietors, their Successors and Assigns, and they are hereby authorized and empowered, to hold and enjoy and to apply for the Purposes of this Act the said Land and Hereditaments so lying between the said River *Irwell* and *Water Street* aforesaid, and also to purchase pursuant to their aforesaid Contract for the same, or otherwise, if the said Company of Proprietors and the Persons or Person with whom they have contracted for the Purchase or may hereafter contract shall consent thereto, to purchase under the Powers and Authorities of the said recited Act or of this Act, and in either Case to hold and enjoy the said Field or vacant Land lying on the eastwardly Side of *Water Street* and northwardly Side of *Liverpool Road* in the Township of *Manchester*, and any other Land or Hereditaments in *Manchester* aforesaid adjacent to the said Dye Works and the said Field, or either of them, as may be necessary for the Purposes of the said Acts or of this Act, and to set out and appropriate the Lands so respectively purchased or to be purchased for Wharfs, Warehouses, and Buildings, Yards and Conveniences, or to apply and dispose of the said Lands and Premises respectively, or any Part or Parts thereof, otherwise for the Purposes of the said recited Acts and of this Act respectively.

May purchase  
the Release  
of Lands  
wanted from  
Rents charg-  
ed thereon.

XIX. And be it further enacted, That where any Lands, Tenements, and Hereditaments purchased or to be purchased by the said Company by virtue of or for the Purposes of the said recited Acts or this Act shall be subject or charged solely, or jointly with other Lands,



Lands, Tenements, or Hereditaments not required for the Purposes or by virtue of the same Acts, to or with any Rent Service, Rent Charge, Chief Rent, or other Rent, or any other Payment or Incumbrance, then and in every such Case the said Company shall have Power to contract and agree for the Release, Exoneration, and Discharge of such Lands, Tenements, and Hereditaments so purchased or to be purchased as aforesaid, of or from such Rent or Incumbrance affecting the same as aforesaid, and for an Apportionment of such Rent or Incumbrance, for such Consideration in Money, either as shall be agreed upon between the said Company and the Body or Bodies, Person or Persons, who under the Provisions of this Act would, in case the same Rent were Land purchasable of Right for the Purposes of the said recited Acts or this Act, have Power by means of Ownership, or be capacitated, to sell the same Rent or Incumbrance, or else as shall be assessed by a Jury in the Manner directed by the said recited Act of the Seventh Year of His present Majesty, as the Case may be; and in case any Difference shall arise respecting the Apportionment of such Rent or Incumbrance, or the Money or Equivalent offered for the same by the said Company, then such Apportionment and Value, or such Apportionment or Value, as the Case may be, shall be determined and decided by a Jury in manner aforesaid; and as well the said Company as such Jury shall, in apportioning such Rent or Incumbrance, apportion the same according to the respective Values of the Lands, Tenements, and Hereditaments so purchased or to be purchased by the said Company as aforesaid, and of the Lands, Tenements, and Hereditaments, not so purchased, out of or upon which respectively such Rent or Incumbrance shall be jointly issuing or charged; and all Contracts, Conveyances, and Assurances which shall be made by and between the said Company and any such Body or Bodies, Person or Persons, interested or capacitated as aforesaid, for effecting every such Release, Exoneration, and Apportionment respectively, shall be valid and effectual in the Law, and shall be within and have the full Benefit of the Powers, Provisions, and Regulations of this Act: Provided always, that when the said Lands, Tenements, and Hereditaments purchased or to be purchased by the said Company shall be so released, exonerated, and discharged as aforesaid of and from any such Rent or Incumbrance aforesaid, affecting the same jointly with other Lands, Tenements, and Hereditaments, then and in such Case such last-mentioned Lands, Tenements, and Hereditaments shall be subject to and charged with only a proportionate Part of such Rent or Incumbrance, and not with the Whole thereof; and such Apportionment shall not in any Manner invalidate, prejudice, or destroy the Remedies for such last-mentioned proportionate Part of such Rent or Incumbrance, but the same proportionate Part of the Powers and Remedies for Recovery thereof, and all Covenants, Conditions, and Provisions for the Security thereof, shall at all Times thereafter remain, continue, and be good, valid, and effectual in the Law, to all Intents and Purposes, as if the same Lands, Tenements, and Hereditaments not so purchased as aforesaid had been originally alone subject to and charged with the same proportionate Part only, and not with any greater Rent or Payment: Provided also, that when a Part only of any Rent, Payment, or Incumbrance shall be released

[*Local.*]

7 P

and



and extinguished under the Provision last herein-before contained, it shall be lawful for the said Company, on Tender for that Purpose of any Deed or Instrument creating or transferring such Rent, Payment, or Incumbrance, or conveying all or any of the Lands, Tenements, and Hereditaments remaining charged, to affix their Common Seal to a Memorandum, to be indorsed on such Deed or Instrument, declaring what Part of the Lands, Tenements, and Hereditaments originally subject to such Rent, Payment, or Incumbrance shall have been purchased and taken by virtue of the said Acts or any of them, and also what Proportion of the said Rent, Payment, or Incumbrance shall have been released and extinguished in pursuance of the same Acts, and declaring the Amount of the Rent or Incumbrance to subsist and continue payable after such Purchase, Exoneration, Release, and Extinguishment; which Memorandum shall be sufficient Evidence in any Court of Law or elsewhere of the Facts thereby stated, but nevertheless so as not to exclude any other Evidence of the same Facts.

Company  
may resell  
such Parts as  
are not re-  
quired.

XX. And be it further enacted, That it shall be lawful for the said Company of Proprietors to sell and dispose of such Part or Parts, Interest or Interests of or in the said Lands and Hereditaments so lying between the River *Irwell* and *Water Street* aforesaid, and such Part or Parts, Interest or Interests of or in the said Field aforesaid lying on the eastwardly Side of *Water Street* and northwardly Side of *Liverpool Road*, as may have been purchased by the said Company, and be not required or necessary for the Purposes of the said recited Act and of this Act, and such Part and Parts, Interest and Interests of or in any other Lands or Hereditaments in *Salford* or *Manchester* aforesaid, as may have been or hereafter be purchased under the Authority of the said recited Acts and this Act, or any of them, and be not requisite for the Purposes thereof, either together or in Parcels, by public Auction or private Contract, as they shall find most convenient and advantageous, and for any Sum or Sums in gross, according to the Provisions and Directions of the said recited Acts.

Treasurer,  
upon Receipt  
of Money, to  
give and sign  
Receipts.

XXI. And be it further enacted, That upon Payment of any Money which shall arise from the Sale or Sales by the said Company, or their Successors, of any such Lands, Tenements, or Hereditaments, or Share or Shares, or Part or Parts, Interest or Interests of or in Lands, Tenements, or Hereditaments as shall have been purchased by the said Company of Proprietors under any of the Powers in the said recited Acts, or in this Act contained, it shall be lawful for the Treasurer or Treasurers for the Time being of the said Company to sign and give Receipts for the Money for which the same shall be sold; which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for such Lands, Tenements, or Hereditaments, Parts, Shares, or Interests, as shall be sold, or for so much thereof as in such Receipts respectively shall be expressed to be received; and such Person or Persons shall not afterwards be answerable for any Loss, Misapplication, or Nonapplication, of such Purchase Money or any Part thereof.

XXII. Pro-



XXII. Provided always, and be it further enacted, That the Power and Authority herein contained, enabling the said Company to hold the said Premises lying between the River *Irwell* and *Water Street* aforesaid, and to purchase the said Field lying on the eastwardly Side of *Water Street* and the northwardly Side of *Liverpool Road*, for the Purposes of this and the said recited Acts, shall not abridge or prejudice or in any Manner interfere with, or be deemed or considered to abridge or prejudice or in any Manner to interfere with, the Power and Authority by the said recited Act of the Seventh Year of the Reign of His present Majesty given to the said Company to purchase an additional Quantity of Land, not exceeding Twenty Statute Acres, and any Messuages or other Buildings, for the Purposes in such Act mentioned and expressed.

The Power to take the Land, &c. at Termination of Line in Manchester not to abridge the Power of the Company to purchase 20 Acres of Land.

XXIII. And be it further enacted, That it shall be lawful for all and every Person and Persons seised in Fee Simple of or absolutely entitled to any Land or Hereditaments situate in *Salford* or *Manchester*, authorized to be purchased for the Purposes of the said recited Acts and this Act, which shall be free from any Charge or Incumbrances, or from every other Charge or Incumbrance than and except Quit Rents or Fee Simple Rent Charges, and who shall be exempt from legal Disability, and be willing to sell the same Land and Hereditaments for a perpetual annual Rent Charge or perpetual annual Rent Charges, in lieu of a Sum or Sums in gross, notwithstanding the same Land or Hereditaments may at the passing of this Act be subject to any Contract for Sale to the said Company remaining unperformed, to bargain and sell and convey the same Land and Hereditaments, and every or any Part thereof, unto the said Company, for and in consideration of an annual Rent Charge or annual Rent Charges payable by the said Company of Proprietors, their Successors and Assigns, to the Person or Persons so selling or conveying, his, her, or their Heirs and Assigns; and all such Sales and Conveyances shall be made at the Expence of the said Company, and shall be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (*videlicet*,)

Power to purchase on Chief Rents.

‘ I of \_\_\_\_\_ of \_\_\_\_\_ in consideration of the Sum \_\_\_\_\_  
 ‘ to [me] paid by the *Liverpool and Manchester* \_\_\_\_\_  
 ‘ Railway Company, established and incorporated by an Act of Parlia-  
 ‘ ment passed in the Seventh Year of the Reign of His Majesty King  
 ‘ *George the Fourth*, intituled [*here set forth the Title of the Act*],  
 ‘ do hereby grant and alien to the said Company of Proprietors all  
 ‘ [*describing the Premises to be conveyed*], together with all Ways,  
 ‘ Rights, and Appurtenances thereunto belonging, and all [my]  
 ‘ Estate, Right, Title, and Interest in and to the same and every  
 ‘ Part thereof, to hold the Premises to the said Company of Proprie-  
 ‘ tors, and their Successors for ever, and according to the true Intent  
 ‘ and Meaning of the said Act, and the several Acts for amending  
 ‘ the same, they the said Company, their Successors and Assigns,  
 ‘ yielding and paying unto [me, my] Heirs or Assigns, one clear  
 ‘ yearly Rent of \_\_\_\_\_ by equal [quarterly or half-  
 ‘ yearly, as may be agreed on,] Portions, henceforth, on the [*stating*  
 ‘ the Days], clear of all Taxes and Deductions. In witness whereof  
 ‘ [I] have

Form of Conveyance.



‘ [I] have hereunto set [my] Hand and Seal, the Day  
 ‘ of in the Year of our Lord .’

And all such Conveyances and Assurances as aforesaid shall be good, valid, and effectual to all Intents and Purposes; and all such yearly Rent Charges shall be recoverable by Action of Debt against the said Company, their Successors or Assigns, and also by and in the like Means and Manner as Rents Service reserved by and in Indentures of Lease for Years of Lands; and also that it shall be lawful for the said Company, by Deed under their Common Seal, in such Form as to them shall seem meet, to bargain and sell and convey unto any Person or Persons whomsoever, for and in consideration of an annual Rent Charge or annual Rent Charges, payable as the said Company shall deem meet, to be issuing out of the Lands or Hereditaments sold, and which shall be recoverable in like Manner as any Rent Service reserved in an Indenture of Lease for Years of Lands, all such, so much, and so many of the Lands, Tenements, and Hereditaments within the Townships of *Salford* and *Manchester* respectively, or any of them, which the said Company have already purchased or shall hereafter purchase under the said recited Acts and this Act, or any of them, as they shall deem unnecessary for the Purposes of the said Railway, and the Conveniences and Appurtenances thereto, for and during such Estate or respective Estates as the said Company shall have or can convey therein (and that without making any preliminary Offer of Sale unto any Person or Persons whose Lands, Tenements, or Hereditaments shall immediately adjoin to the Lands or Grounds so proposed to be sold, or any Part thereof); and that to every Rent Charge to be granted or reserved pursuant to this Clause unto the said Company, or unto any Person or Persons, shall be incident the usual Power of Entry into and upon, and of Perception of the Rents and Profits of the Hereditaments out of which the same is to be issuing; and the same shall be recoverable and by all other Means in which Rents Charge are recoverable, and also by Action of Debt in His Majesty's Court of Common Pleas at *Lancaster*, or in any other of His Majesty's Courts of Record, against the Person or Persons for the Time being seised of the Hereditaments whereout or wherefor such respective Rent Charge reserved by virtue hereof shall be expressed to be reserved.

No locomotive Engine to be used in Manchester upon the Lands of Miss Byrom, &c. without Consent.

XXIV. Provided always, and be it further enacted, That it shall not be lawful for the said Company to use or employ or hire the Use of, or permit or suffer any Person or Persons under their Authority to use or employ, or for any other Person or Persons, or any Body Politic or Corporate, to use or employ, any locomotive Engine upon the said Railway within any Lands or Grounds in the said Township of *Manchester* which were heretofore of or belonging to *Edward Byrom* late of *Manchester* aforesaid, Esquire, deceased, the late Father of *Eleanora Byrom* of *Manchester* aforesaid, Spinster, and of *Ann Atherton* Widow, deceased, without the Consent in Writing of the said *Eleanora Byrom*, her Heirs or Devises, and of the Heirs or Devises of the said *Ann Atherton* deceased, first had and obtained for that Purpose.

XXV. Pro-



XXV. Provided always, and be it further enacted, That it shall not be lawful for the said Company to use or employ, or hire the Use of, or permit or suffer any Person or Persons under their Authority to use or employ, or for any other Person or Persons, or any Body Politic or Corporate, to use or employ, any locomotive Engines or locomotive Engine within the said Township of *Manchester*, or any Part thereof, without the previous Consent, as well of the Surveyors for the Time being of the Highways of that Township as of the Commissioners for cleansing, lighting, watching, and regulating the Town of *Manchester*, except only as to the Use and Employment of such Engines in the Lands of the said Company herein-after described, and on and along the projected Line of the said intended Railway over *Water Street* aforesaid; and which said Lands consist of certain Lands and Premises between *Water Street* and the River *Irwell*, purchased or contracted to be purchased from Messieurs *Rothwell* and *Harrison*, and certain other Lands purchased or contracted to be purchased from Mr. *Gilbert Winter*, and which said last-mentioned Land is bounded on the northerly Side thereof by *Charles Street*, on the easterly Side thereof by Land and Buildings now or lately belonging to Mr. *John Woollam*, Mr. *Thomas Shaw*, Mr. *Samuel Ward*, and Mrs. *Madeley*, on the southerly Side thereof by *Liverpool Road*, and on the north-westerly Side thereof by *Water Street*; and if the said Company, or any other Person or Persons, Body Politic or Corporate, shall offend by using or employing, or hiring or permitting or suffering the Use or Employment of any locomotive Engines or locomotive Engine within the said Township of *Manchester*, or any Part thereof, without the previous Consents aforesaid, except as by this Act is excepted, the Company, Body Politic or Corporate, Party or Parties, so offending, shall, on Conviction before any Two Justices of the Peace for the said County of *Lancaster*, upon the Oath, or, if a Quaker, upon the Affirmation of One Witness, for every such Offence forfeit and pay any Penalty or Sum not exceeding Twenty Pounds, to be recovered by Distress of the Offender's Goods and Chattels, which Distress such Justices are hereby empowered, by Warrant under their Hands and Seals, to direct; one Moiety of the said Penalty shall go and be paid to the Informer, and the other Moiety thereof to the Overseers of the Poor of the said Township of *Manchester*, in aid of the Rates for the Relief of the Poor thereof.

Locomotive Engines prohibited in Manchester, except in crossing Water Street, and in Company's Lands, without Consent of Surveyors of Highways, &c.

XXVI. Provided always, and be it further enacted, That it shall not be lawful for the said Company to use or employ, or hire the Use of, or permit or suffer any Person or Persons under their Authority to use or employ, or for any other Person or Persons, or any Body Politic or Corporate, to use or employ any locomotive Engines or locomotive Engine within the Township of *Salford*, or any Part thereof, without the previous Consent, as well of the Surveyors for the Time being of the Highways of that Township as of the Commissioners for better cleansing, lighting, watching, and regulating the Town of *Salford*, except only as to the Use and Employment of such Engines on and along the projected Line of the said intended Railway through the said Township, and along such Line, over and across such Streets, Roads, or Highways in the said Township as are now or may hereafter be laid out and formed, and which may be crossed or intersected

Locomotive Engines prohibited in Salford, except along the Line of Railway, and in Land that may be purchased by them for Stations.

[*Local.*]

7 Q

by



by the said projected Line of Railway, and also except in and upon and for the Purpose of communicating with such Land as the said Company may hereafter purchase or become possessed of in the said Township of *Salford*, and appropriate for Stations or Wharfs for the Purpose of accommodating the Trade of *Salford*; and if the said Company, or any other Person, Body Politic or Corporate, shall offend, by using or employing, or permitting or suffering the Use or Employment of any locomotive Engines or locomotive Engine within the said Township of *Salford*, or any Part thereof, without the previous Consent aforesaid, except as by this Act is excepted, the Company, Body Politic or Corporate, Party or Parties, so offending, shall, on Conviction before any Two Justices of the Peace for the said County of *Lancaster*, upon the Oath, or, if a Quaker, upon the Affirmation of One Witness, for every such Offence forfeit and pay any Penalty or Sum not exceeding Twenty Pounds, to be recovered by Distress of the Offender's Goods and Chattels, which Distress such Justices are hereby empowered, by Warrant under their Hands and Seals, to direct; one Moiety of the said Penalty shall go and be paid to the Informer, and the other Moiety to the Overseers of the Poor of the said Township of *Salford*, in aid of the Rates for the Relief of the Poor thereof.

Powers of Act 7 G. 4. for preventing Obstructions by Carriages going along Railway extended to Carriages crossing the same.

XXVII. And be it further enacted, That all and every the Powers and Provisions, Penalties and Forfeitures, Rules, Remedies, and Directions contained in an Act made and passed in the Seventh Year of the Reign of His present Majesty, intituled *An Act for making and maintaining a Railway or Tramroad from the Town of Liverpool to the Town of Manchester, with certain Branches therefrom, all in the County Palatine of Lancaster*, relating to the Construction and Regulation of Carriages, and for preventing and removing Obstructions to the Passage of the said *Liverpool and Manchester Railway*, shall be valid and effectual as to all Waggons, Carts, and other Carriages crossing the said last-mentioned Railway, as well as to Waggons, Carts, and other Carriages passing along the same, as far as the same are respectively applicable.

Power to raise an additional Sum of 127,500*l.* to form a Fund for Carrying Department, in Shares of 25*l.* each.

XXVIII. And whereas, by the said recited Act of the Seventh Year of the Reign of His present Majesty, it was also enacted, that it should be lawful for the said Company, and they were thereby authorized and required, to carry and convey over, along, and upon the said Railway or Tramroad, or any Part thereof respectively, all such Goods, Wares, and Merchandize, Articles, Matters, and Things, as should be offered to them for that Purpose, and to ask, demand, receive, and recover for such Carriage and Conveyance any Sum of Money not exceeding the Sums therein specified: And whereas the Expence of forming and conducting an Establishment for the Carriage of Goods was not contemplated in the Estimates of the said Sum of Five hundred and ten thousand Pounds by the said Act authorized to be raised, and it is therefore expedient that the said Company should be authorized to raise, by means of additional Shares, either amongst themselves or by Admission of additional Subscribers, a further Sum of Money to enable them to conduct the Carrying Trade or Department of the said Undertaking as by the said last-recited Act they are authorized and required to do; be it therefore enacted, That it shall be



be lawful for the said Company to raise, by Contribution amongst themselves, or by the Admission of other Persons as Subscribers to the said Undertaking, or in part by each of those Means, a further or additional Sum of Money as a Capital to enable them to conduct the Carrying Trade or Department of the said Undertaking, and provide proper and suitable Works and Conveniences for the same, not exceeding in the whole the Sum of One hundred and twenty-seven thousand five hundred Pounds over and above the Sum authorized to be raised by the said last-mentioned Act, the whole to be divided into Five thousand One hundred Shares of Twenty-five Pounds each Share, and the same to be numbered in regular or arithmetical Progression, whereof the common Excess or Difference shall always be One; and every such Share shall always be distinguished by the Number to be applied to the same; and the said Shares shall be offered to the several Holders of Shares in the said Undertaking in the Proportion of Twenty-five Pounds for every original Share of One hundred Pounds held by them respectively therein; and the same shall be divided amongst and vested in the said several Holders of original Shares who may be willing to accept the same, their respective Successors, Executors, Administrators, and Assigns, in the Proportions aforesaid; and in case any of the said Holders of original Shares shall reject or fail for One Calendar Month next after Offer of the same, by Letter under the Hand of the Clerk of the said Company, given to or sent by the Post to him, her, or them respectively, or left at his, her, or their usual Place or Places of Abode, to accept such additional or new Share or Shares as he, she, or they respectively shall be entitled to take, or any of them, then it shall be lawful for the said Company, and they are hereby authorized and empowered, to dispose of such of the said additional Shares as shall not be accepted by the said Holders of original Shares, for such Sum or Sums of Money *per Share*, not exceeding Twenty-five Pounds, as the said Company may be able to obtain for the same, unto such Bodies Politic, Corporate, and Collegiate, and other Persons, as may be willing and desirous of becoming and shall become Subscribers to and Proprietors of the same; and all and every new Share or Shares to be created in consequence thereof shall be deemed Personal Estate, and shall be transmissible and transferrable as such; and all Bodies Politic, Corporate, or Collegiate, and other Persons, who shall subscribe for and become entitled thereto, and the several and respective Successors, Administrators, and Assigns of such Bodies and Persons respectively as aforesaid, shall be and they are hereby declared to be Owners and Proprietors of Stock in the said Undertaking, to the Extent of Twenty-five Pounds for every new Share of Twenty-five Pounds so by them severally subscribed for or possessed, as beneficially as the Proprietors of original One hundred Pound Shares in the said Undertaking, but in the Proportion nevertheless that Twenty-five Pounds bears to One hundred Pounds, and under and subject to all the Powers, Provisions, Indemnities, Remedies, Penalties, Clauses, Matters, and Things contained in the said several recited Acts respecting or relating to the said original Shares, so far as the same are not altered or varied; and all such Bodies and Persons aforesaid are hereby united to and incorporated with the said Company.



Separate  
Accounts of  
Carrying  
Department  
to be kept.

XXIX. Provided always, and be it enacted, That the said Company may and they are hereby empowered to keep separate Accounts of the Profit and Loss to arise from the Carrying Department of the said Undertaking, and to make separate Dividends in respect thereof, and that such Profits and Dividends shall not form Part of the Dividend regulating the Reduction of the Tonnage Rates, as provided by the said recited Act of the Seventh Year of the Reign of His said present Majesty.

Directors  
empowered  
to make Calls  
on new  
Shares.

XXX. And be it further enacted, That the said Directors shall have Power, from Time to Time and at any Time or Times hereafter, at their Discretion, to make such Call or Calls of Money from the Subscribers to and Proprietors of the said new Shares in the said Undertaking, to defray the Expences of or to carry on the same, as they from Time to Time shall find necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds upon each new Share which any Person shall or may be possessed of or entitled unto in such Undertaking, and so that no further or additional Call on the additional Shares shall be made until all the Arrears of preceding Calls on the same Shares shall have been collected, or some Proceeding taken either to recover the said Arrears or to declare the Shares of the Persons in arrear as to such Shares only on which there may be Arrears forfeited, and such Calls shall not be made but at the Distance of Three Calendar Months at the least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid by Advertisement in some Two or more of the Newspapers usually circulated at *Liverpool* and *Manchester* aforesaid respectively; which Monies so called for shall be paid to such Person and Persons and in such Manner as the Directors of the said Company shall from Time to Time direct and appoint, for the Use of the said Undertaking; and every Owner of any Share in the said Undertaking shall pay his or her rateable Proportions of the Monies to be called for as aforesaid to such Person or Persons and at such Time and Place as the said Directors shall from Time to Time direct and appoint; and all the Powers, Provisions, Remedies, Penalties, Forfeitures, Matters, and Things created or imposed by the said recited Acts, or any or either of them, for compelling the Payment of Calls, with Interest, or for forfeiting the Shares of such Proprietors as shall be in default, shall be as good and valid for carrying this Act into execution as fully and effectually to all Intents and Purposes as if the same had been repeated and re-enacted in the Body of this present Act.

Directing  
how Sub-  
scribers for  
new Shares  
shall vote.

XXXI. And be it further enacted, That every Body Politic, Corporate, or Collegiate, and every Person, who shall by virtue of this Act have subscribed for or shall become entitled to Four Shares and upwards of Twenty-five Pounds each of and in the said additional Capital of One hundred and twenty-seven thousand five hundred Pounds by this Act authorized to be raised, shall be allowed to vote either in Person or by Proxy, and shall have One Vote for every Four Shares held by them respectively of and in the said additional Capital, in the same Manner and subject to all the Stipulations, Provisions, Restrictions,



Restrictions, and Limitations contained in the said recited Act of the Seventh Year of the Reign of His present Majesty with respect to the Right of voting by the Proprietors of original Shares of One hundred Pounds, so that, subject thereto, Four Shares of Twenty-five Pounds each in the said additional Capital shall be considered equivalent to and conferring the same Right of voting as One original Share of One hundred Pounds.

XXXII. Provided always, and be it further enacted, That the Powers and Authorities herein contained shall not abridge or prejudice or in any Manner interfere with, or be deemed or construed to abridge or prejudice or in any Manner to interfere with, the Power and Authority by the said recited Act of the Seventh Year of His present Majesty's Reign given to the said Company (in the Case of the Money thereby authorized to be raised being found insufficient for the making, completing, and maintaining of the said Railway or Tramroad and other the Works thereby authorized to be made, and for defraying all Charges and Expences relating thereto,) to borrow and take up at Interest any further or additional Sum or Sums of Money not exceeding the Sum of One hundred and twenty-seven thousand five hundred Pounds, but that it shall be lawful for the said Company (but subject and without Prejudice to all or any of the Securities given by the said Company to the Secretary for the Time being of the Commissioners for the Issue of Exchequer Bills, and to the Rights and Remedies upon and in respect of such Securities,) to borrow and take up at Interest the said Sum of One hundred and twenty-seven thousand five hundred Pounds, or so much thereof as to them shall seem meet and convenient, without waiting until the Sum or Sums of Money borrowed from the said Commissioners on the Authority of the said recited Act of the Seventh and Eighth Years of the Reign of His present Majesty shall have been paid off.

Power granted by this Act not to repeal Power of borrowing granted by Act 7 G. 4.

XXXIII. And whereas by the said recited Act of the Seventh Year of the Reign of His present Majesty the said Company are authorized, in case the Money by that Act authorized to be raised should be found insufficient for the making, completing, and maintaining the said Railway and Works thereby authorized to be made, and for defraying all necessary Charges and Expences relating thereto, to borrow and take up at Interest, by Mortgage of the said Undertaking and the Rates to arise by virtue of that Act, an additional Sum of Money not exceeding One hundred and twenty-seven thousand five hundred Pounds: And whereas it is expedient that the said Company should be authorized to borrow the same or any Part thereof on Bond; be it therefore enacted, in case the Money by the said recited Act and by this Act authorized to be raised shall be found insufficient for the making, completing, and maintaining of the said Railway and other Works by the said Acts and by this Act authorized to be made, and for defraying all necessary Charges and Expences relating thereto, and relating to the said Carrying Department, That it shall be lawful for the said Company, or the Directors thereof, after an Order shall have been made for that Purpose by any General Meeting, and they are hereby authorized and empowered, to

Power to borrow the 127,500*l.*, authorized to be raised by 7 G. 4., on Bond.

[*Local.*]

7 R

borrow







And every such Transfer shall within Twenty-eight Days after the Date thereof, if executed in *England*, or otherwise within Twenty-eight Days after the Arrival thereof in *England*, be produced to the Clerk of the said Company, who shall cause an Entry or Memorial thereof to be made in the same Manner as of the original Bond or Bonds, and also, if required, indorse a Certificate of such Entry on such Transfer; for which Entry or Entries and Certificate the said Clerk shall be paid such Sum as the said Company shall appoint, not exceeding Two Shillings and Sixpence; and after every such Entry made every Transfer shall entitle such Assignee or Assignees, his, her, or their Successors, Executors, Administrators, and Assigns, to the full Benefit thereof, and to sue the said Company for Payment thereof in his, her, or their own Name or Names; and it shall not be in the Power of any Body or Bodies Politic or Corporate, or Person or Persons, who shall have made such Transfer, to make void or release any Bond so by him, her, or them transferred, or any Sum of Money thereon due or thereby secured, or any Part thereof.

XXXIV. Provided always, and be it further enacted, That no Person to whom any such Bond shall be given shall be thereby deemed a Proprietor of any Share, or be thereby rendered capable of acting as such at any Meeting of the said Company, for or on account of his or her having lent or advanced any Sum or Sums on such Bond.

Bond-holders not to be deemed Proprietors.

XXXV. Provided always, and be it further enacted, That without Prejudice to the Rights and Remedies upon and in respect of the said Securities made to the said Commissioners for the Issue of Exchequer Bills, or their Secretary, and without Prejudice to any Mortgage or Mortgages to be made pursuant to the said recited Acts or any of them, it shall be lawful for the said Company and they are hereby empowered from Time to Time to pay off and discharge all or any of the said Bonds before the Days respectively appointed for Payment thereof, upon giving Six Calendar Months Notice, by Insertion thereof in the *London Gazette* and in Two Newspapers usually circulated in *Liverpool* and *Manchester*, to the Holder or Holders of the said Bonds respectively so to be intended to be paid and satisfied, of their Intention so to do; so nevertheless that during the Continuance of the Securities to the said Commissioners for the Issue of Exchequer Bills, or any of such Securities, such Notice as last aforesaid shall not be given; nor shall Payment of the same Bonds or any of them be made (either pursuant to Notice as aforesaid, or on Request or otherwise,) unless with the previous Consent thereto in Writing of the said Commissioners, under the Hand of their Secretary for the Time being.

Power to pay Bonds.

XXXVI. And be it further enacted, That in case the said Company shall be required or shall be desirous to pay and shall pay off all or any of the said Bonds, then and in every such Case it shall be lawful for the said Company, and they are hereby authorized and empowered, immediately or at at any Time or Times thereafter, again to raise, in lieu of the Principal Money so paid off or to be paid off by them, so much and such Principal Sum and Sums of Money as they shall have from Time to Time paid off either by the Issue of fresh Bonds,

In case Bonds paid off, Company may raise the Amount again.



Bonds, or by way of Mortgage on the Credit of the said Undertaking, and so from Time to Time as often as the same shall happen; but so nevertheless that the said Company shall not in any Event borrow by the Means aforesaid more than One hundred twenty-seven thousand and five hundred Pounds in the whole at any One Time, exclusive of the said Mortgage made in anticipation of their Capital by the said Company to the said Commissioners for the Issue of Exchequer Bills, or *William Holden* Esquire, their Secretary; and that all such Bonds and Mortgages shall be without Prejudice to the Securities to the said Commissioners.

Interest of  
Money bor-  
rowed on  
Bond to be  
paid in pre-  
ference to  
Dividends.

XXXVII. And be it further enacted nevertheless, (without Prejudice to any such Mortgage Securities as aforesaid,) That the Interest which shall become due and payable on any Money to be raised by Bond as aforesaid (if any shall be so raised) shall be paid to the several Bodies and Persons entitled thereto in preference to any Interest or Dividends to become due or payable to the said Company, or any of them, under the Provisions of this or of the said recited Act; and in case any such Interest, or any Part thereof, shall be behind and unpaid by the Space of Thirty Days next after the same shall have become due and payable, and the same shall not be paid within Ten Days next after Demand thereof in Writing shall have been made of the Clerk of the said Company, or left at the Office of the said Company, then, in addition to such Remedies as the Obligees or Obligees or Assignee or Assignees of such Bond or Bonds may be entitled to at Law or in Equity, it shall be lawful for Two or more Justices of the Peace acting for the said County Palatine of *Lancaster*, and they are hereby required, on Request to them made by or on behalf of any such Obligees or Obligees, his, her, or their Successors, Executors, Administrators, or Assigns, whose Interest shall be so in arrear, by an Order under the Hands of such Justices to appoint One or more Person or Persons to receive the Whole or any Part of the Rates, Tolls, and Duties arising or to arise by virtue of the said recited Act and of this Act, or either of them, until all Interest in arrear on the aforesaid Bonds then subsisting, together with the Costs and Charges of recovering and receiving the Rates, shall be fully satisfied and paid; and the Money so to be received by such Person or Persons is hereby declared to be so much Money received by or to the Use of the Body or Bodies Politic or Corporate, Person or Persons, to whom such Interest shall be then due; and after such Interest and Costs shall have been paid and satisfied, the Power and Authority of such Receiver or Receivers for the Purposes aforesaid shall cease and determine.

Recital of  
7 & 8 G. 4.  
s. 20, 21, 22.

XXXVIII. And whereas by the said Act passed in the Seventh and Eighth Years of the Reign of His present Majesty it was enacted, (without Prejudice to any Security or Securities to be made to the Secretary for the Time being,) that if the whole of the said Railway or Tramroad should be completed within the Time limited for the Completion thereof, and should at any Time thereafter be abandoned or given up by the said Company, and should not for the Space of Three Years be used and employed as a Railway or Tramroad, then and in such Case the Land or Ground so purchased  
or



or taken by the said Company for the Purposes of the therein recited Act, or the Part or Parts thereof over which the said Railway or Tramroad, or any Part or Portion of such Railway or Tramroad, which should be so abandoned or given up by the said Company, should pass, should vest in the Owner or Owners of the Land adjoining that which should be so abandoned or given up, in manner following; that is to say, one Moiety thereof in the Owner or Owners of the Lands on the one Side, and the other Moiety thereof in the Owner or Owners of the Land on the other Side thereof; and further, (without Prejudice as last aforesaid,) that if the whole of the said Railway or Tramroad should not be completed within the Time limited for the Completion thereof then and in such Case the Land or Ground so purchased or taken by the said Company for the Purposes of the therein recited Acts, and over which so much of the said Railway or Tramroad as should not have been declared and certified to have been completed within the said Term by the Justices of the Peace for the said County Palatine of *Lancaster* or for the Borough of *Liverpool*, within their respective Jurisdictions, was intended to pass, should vest in the Owner or Owners of the Land adjoining; that is to say, one Moiety thereof in the Owner or Owners of the Lands on the one Side, and the other Moiety thereof in the Owner or Owners of the Land on the other Side thereof; and further, (without Prejudice as last aforesaid,) that if in consequence of the said Railway or Tramroad being abandoned or given up by the said Company, as therein-before is mentioned, the therein-mentioned Tunnel should not be used or employed by the said Company for the Purposes of a Railway or Tramroad for the Space of Three Years, then and in such Case the said Tunnel, so far as the same should be made under Lands within the Boundaries of the Borough and Town of *Liverpool*, should revert to and be at the entire Disposal of the Mayor, Bailiffs, and Burgesses of *Liverpool*, their Successors and Assigns for ever, and so far as the same should be made under Lands out of the Boundaries of the said Borough and Town of *Liverpool*, the same should revert to and be at the entire Disposal of the Owner or Owners of the Lands under which the same should have been made: And whereas it is expedient that the Three several Clauses lastly herein-before recited should be explained with reference to the Securities made to the Secretary of the said Commissioners for the Issue of Exchequer Bills by the Two several Indentures bearing Date the Twenty-third Day of *June* in the Year One thousand eight hundred and twenty-seven, and recited or particularly mentioned in the said recited Act passed in the Ninth Year of the Reign of His present Majesty, for securing to the said Commissioners the Principal Sum of One hundred thousand Pounds, and Interest thereon; be it therefore further enacted and declared, That it was the true Intent and Meaning of the said Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, that all the Land or Ground which shall have been purchased by the said Company for the Purposes of the said Railway or Tramroad, and all Buildings, Works, and Property therein and thereon, (including the aforesaid Tunnel,) shall go, vest, remain, and be in the Secretary for the Time being of the said Commissioners for the Issue of Exchequer Bills, and his Successors for ever, for securing to them the same Principal Money

Declaring the Intent of the recited Act with reference to the Security to the Commissioners for the Issue of Exchequer Bills.

[*Local.*]

7 S

and



and Interest, in case the same Railway or Tramroad by the said recited Acts, and by this Act authorized to be made shall, after being duly completed, be abandoned or given up by the said Company, and be for the Space of Three Years not used or employed as a Railway or Tramroad, or in case the whole of the said Railway or Tramroad by the said recited Acts and this Act authorized to be made shall not be completed within the Time thereby limited for the Completion thereof, and if in either of such Two Cases the Whole or any Part of the said Sum of One hundred thousand Pounds secured to the said Commissioners for the Issue of Exchequer Bills, or of the Interest thereon, or any Part thereof, shall be owing or then unpaid.

Act not to  
prejudice  
Mortgages  
to Exchequer  
Loan Com-  
missioners.

XXXIX. And be it further enacted, That this Act or any thing herein contained shall not invalidate, annul, abridge, or affect the Two several Indentures of Mortgage mentioned in or authorized by the said Act of Parliament, passed in the Ninth Year of the Reign of His present Majesty, to be made to the aforesaid and therein-mentioned Commissioners for the Issue of Exchequer Bills, or their Secretary, or any of the Powers, Rights, and Remedies upon or in respect of the same; and that all Powers and Authorities, Rights and Privileges, Lands and Tenements, Works and Property whatsoever, which shall hereafter become conveyed to or vested in the said Company, for forming, completing, or carrying on the said Railway, are hereby declared to form Part of and to be comprised in and among the Premises, Authorities, and Interests respectively conveyed and assigned by the Two several Indentures of the Twenty-third Day of *June* in the Year One thousand eight hundred and twenty-seven respectively mentioned in the said Act of the Ninth Year of His present Majesty; and that all and every Sales and Sale by this Act authorized to be made by the said Company, and made during the Continuance of such Securities or either of them, shall not be made unless with the Concurrence of the said Commissioners, in like Manner as they are authorized by the said Act of the Seventh and Eighth Years of the Reign of His present Majesty to concur in any Sale or Sales by the said Company.

Expences of  
Act.

XL. And be it further enacted, That all the Costs, Charges, and Expences of and incident to obtaining and passing this Act, and of carrying the same into effect, and obtaining and making the Surveys, Plans, and Estimates in respect thereof, or otherwise incident thereto, shall and may be defrayed and paid by the said Company out of the Monies received or to be received by them under the Authority of the said recited Acts and this Act, or any of them, in preference to any other Payment.

Public Act.

XLI. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially noticed as such by all Judges, Justices, and others, without being specially pleaded.

The



The SCHEDULE referred to by the foregoing Bill.

Owners.	Lessees.	Ocoupiers.	Description of Property.
<i>The Township of Salford in the Parish of Manchester.</i>			
The Earl of Derby.	Edmund Taylor, Executor of William Heap deceased.	John Isherwood - James Okell - James Shawcross - John Murray - William Berry - Joseph Taylor - William Vickers - Samuel Saxon - Joseph Metcalfe - John Wakefield - William Thomas - James Gibbs - John Gibbs - Michael Burns - Griffith Williams - Richard Shaw - Samuel Rogerson - John Easton - George Leporte - Richard Wright - Robert Bradshaw - James Edge - Robert Booth - John Oakley - John Egan - Christopher Welch - Robert Moss - John Dodson - Lucy Mottershead - Samuel Mercer - John Thornley - Peter Okell - Francis Hughes -	Sundry small Gardens and Cottages.
James Gibbs, Devisee in Trust of Robert Goodfellow or John Gibbs	-	John Gibbs - William Oakley - James Wood - John Hadfield - John Birtwall - James Sutcliffe - Richard Nicholson - Stephen Falkner -	Several Houses and Land in Kent Street and Oldham Street.
Ann Hampson	-	John Hesford - James Brown -	Houses and Land adjoining Ordsall Lane.



Owners.	Lessees.	Occupiers.	Description of Property.
Samuel Lomax Tip- lady.		Samuel Hitchell Edward Randell John Hope Michael Rearden Thomas Bracegirdle Sarah Lofthouse George Ridge Jane Jones Elizabeth How	Several Houses and Land.
The Mersey and Irwell Navigation Company.		Thomas Horrocks George Critchley George Middleton	Small Gardens and Land.

*The Township of Manchester in the Parish of Manchester.*

Eleonora Byrom or Gilbert Winter.		John Rothwell William Harrison Thomas Steele John Heath William Andrew John Andrew The Mersey and Irwell Navi- gation Company. Martin Simpson	Unbuilt Land, Tim- ber Yards, Rope Walk, Bleaching Ground, and Gar- den.
---	--	---	--

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,  
Printers to the King's most Excellent Majesty. 1832.