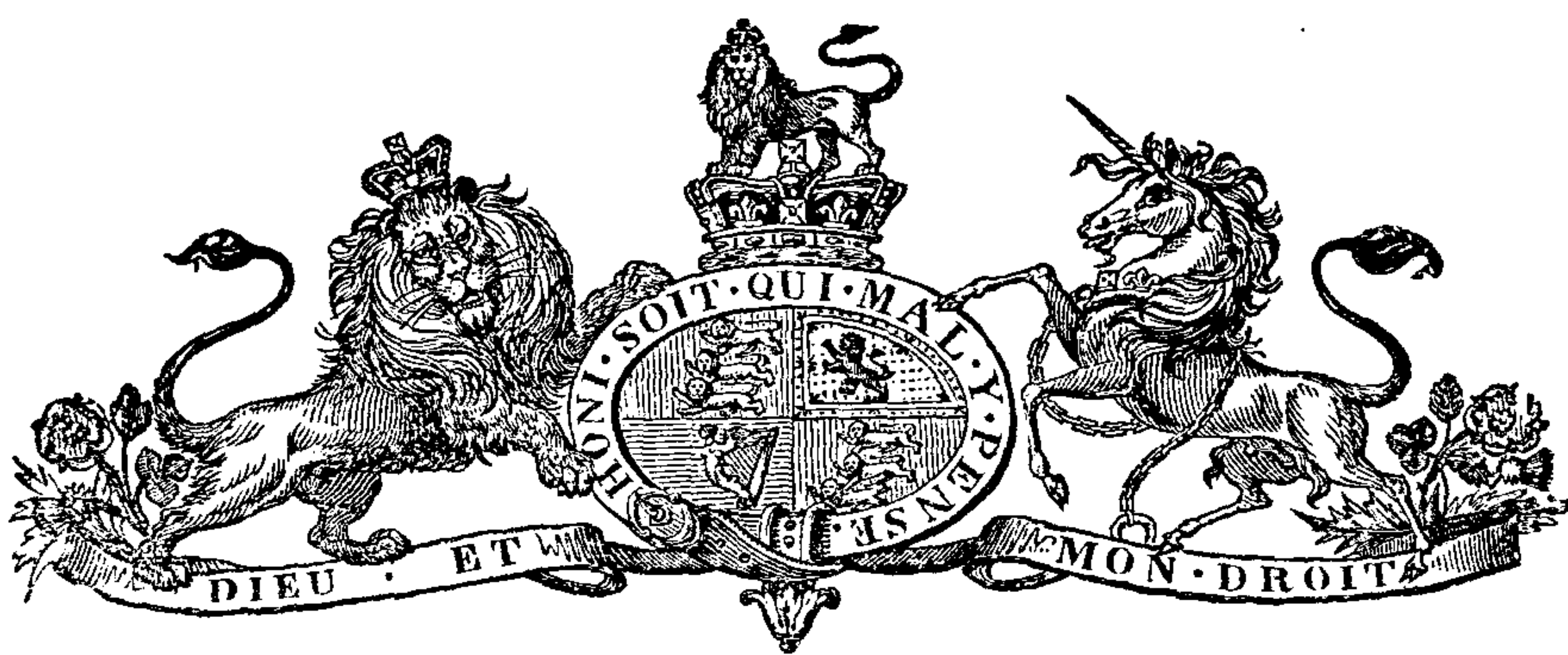




ANNO DECIMO & UNDECIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. clxv.*

An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Coal Branch from their *Thurgoland* Station to the Township of *Stainborough*. [9th July 1847.]

**W**HEREAS an Act was passed in the Session of Parliament held in the Seventh Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for making a Railway from Sheffield in the West Riding of the County of York to Manchester in the County of Lancaster*, whereby a Company was incorporated, called "The *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company:" And whereas the Provisions of the said Act have been amended and enlarged by several subsequent Acts of Parliament relating to the said Company, passed respectively in the Sessions of Parliament held in the Fifth and Sixth, the Sixth and Seventh, and the Seventh and Eighth Years of the Reign of Her present Majesty, and in the last Session of Parliament: And whereas an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her said present Majesty, intituled *An Act for making a Railway from a Place in the Parish of Bole in the County of Nottingham, near to the Town and Port of Gainsborough*,  
[Local.] 24 N borough,  
7 W. 4. & 1 Vict. c. 21.  
8 & 9 Vict. c. 50.



8 & 9 Vict.  
c. 202.

9 & 10 Vict.  
c. 304.

9 & 10 Vict.  
c. 319.

9 & 10 Vict.  
c. 268.

8 & 9 Vict.  
cc. 18. & 20.  
extended to  
this Act.

borough, to the Town and Port of Great Grimsby in the Parts of Lindsey in the County of Lincoln, with Branches to the District or Place called New Holland, and the Town of Market Rasen, to be called *The Great Grimsby and Sheffield Junction Railway*, whereby a Company was incorporated, called "*The Great Grimsby and Sheffield Junction Railway Company*;" And whereas the Provisions of the said last-recited Act have been amended and enlarged by several subsequent Acts of Parliament relating to the said Company passed in the last Session of Parliament: And whereas another Act was passed in the said Session of Parliament held in the said Eighth and Ninth Years of the Reign of Her said present Majesty, intituled *An Act for making additional Docks and other Works at the Haven of the Town and Port of Great Grimsby, and for amending the Acts relating to the said Haven*, whereby a Company was incorporated, called "*The Grimsby Dock Company*:" And whereas another Act was passed in the last Session of Parliament, intituled *An Act for making a Railway from Sheffield to Gainsborough, with Branches*, whereby a Company was incorporated, called "*The Sheffield and Lincolnshire Junction Railway Company*:" And whereas another Act was passed in the last Session of Parliament, intituled *An Act for making a Railway from the proposed Sheffield and Lincolnshire Railway to Lincoln*, whereby a Company was incorporated, called "*The Sheffield and Lincolnshire Extension Railway Company*," by virtue of which last-mentioned Act the said last-named Company has become merged in and incorporated with the said *Sheffield and Lincolnshire Junction Railway Company*: And whereas another Act was passed in the last Session of Parliament, intituled *An Act to amalgamate the Sheffield, Ashton-under-Lyne, and Manchester Railway Company, the Sheffield and Lincolnshire Junction, the Sheffield and Lincolnshire Extension, and the Great Grimsby and Sheffield Railway Companies, and the Grimsby Dock Company*, under the Provisions whereof the *Sheffield, Ashton-under-Lyne, and Manchester, Sheffield and Lincolnshire Junction, Sheffield and Lincolnshire Extension, and Great Grimsby and Sheffield Junction Railway Companies*, and *Grimsby Dock Company* have been dissolved, and the Proprietors of Shares therein respectively have become united into a new Company, under the Name of "*The Manchester, Sheffield, and Lincolnshire Railway Company*:" And whereas it would be attended with public and local Advantage if the *Manchester, Sheffield, and Lincolnshire Railway Company* were authorized to make a Railway from the *Thurgoland Station* to the Township of *Stainborough* in the Parish of *Silkstone*, all in the West Riding of the County of *York*: And whereas it is also expedient that some of the Powers and Provisions of the said recited Acts should be amended and enlarged; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Railway Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Act, 1845, shall, so far as the same are applicable and are not modified by this Act or inconsistent with the Provisions thereof, be held



held to apply to the Railway and Works by this Act authorized to be made, and shall be read and construed as forming Part of this Act.

II. And be it enacted, That all the Provisions contained in the said recited Acts, so far as the same are or may be applicable and now in force, and except such of them as are by this Act repealed, altered, or otherwise provided for, or are inconsistent with the said Railway Clauses Consolidation Act or the said Lands Clauses Consolidation Act, shall extend to this Act and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Provisions were re-enacted in this Act in reference to such Purposes, Matters, and Things; and the said recited Acts and this Act shall be construed and read together as forming One Act.

Provisions of recited Acts extended to this Act.

III. And be it enacted, That it shall be lawful for the said *Manchester, Sheffield, and Lincolnshire* Railway Company to raise the Sum of Twenty thousand Pounds by the Creation of new Shares or Stock in addition to the Sums of Money authorized to be raised by the said recited Acts, or which the said Company may be authorized to raise by any Act to be passed during the present Session of Parliament, upon such Terms and in such Manner as may be or may have been agreed upon at any General Meeting or Meetings of the Company specially convened for the Purpose, and the new Shares or Stock to be created by virtue of this Act shall be considered Part of the general Capital of the Company.

Power to raise Money by Creation of New Shares, which shall form Part of the general Capital.

IV. And be it enacted, That, after Shares for the whole of the Capital in Shares by this and the said recited Acts limited or authorized to be raised shall have been taken, and One Half of such Capital shall have been paid up, it shall be lawful for the Company to borrow on Mortgage such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company not exceeding in the whole in addition to the Sums authorized to be borrowed by the said recited Acts, and in addition to any further Sum which they may be authorized to borrow by any Act to be passed during the present Session of Parliament, the Sum of Six thousand six hundred and sixty-six Pounds, and to secure the Repayment of the Sum so to be borrowed, with Interest, by Mortgage of the Undertaking, as by the Companies Clauses Consolidation Act, 1845, provided, and subject to the several Provisions therein contained with respect to the borrowing of Money on Mortgage.

Power to borrow Money on Mortgage.

V. Provided always, and be it enacted, That all Mortgages or Bonds granted under the Authority of the said recited Acts, and which shall be in force at the Time of the passing of this Act, shall, during the Continuance thereof, have Priority over any Mortgages or Bonds to be created by virtue of this Act.

Former Mortgages to have Priority.

VI. And be it enacted, That every Mortgage, Bond, or other Security for Money, and every Transfer of any Share, Stock, Mortgage, Bond, or other Security for Money to be granted or made by virtue of the said recited Acts or this Act, shall be by Deed duly stamped,

Mortgages and Transfers, &c. to be stamped.



stamped, wherein the Consideration for the same shall be truly stated, any thing herein or in the said recited Acts contained to the contrary notwithstanding.

Interest not  
to be paid on  
Calls paid up.

VII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

Deposits for  
future Bills  
not to be  
paid out of  
the Com-  
pany's  
Capital.

VIII. And be it enacted, That it shall not be lawful for the said Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

Railway to  
be made ac-  
cording to  
deposited  
Plans.

IX. And whereas Plans and Sections showing the Line and Levels of the Railway by this Act authorized to be made, together with a Book of Reference to the said Plans containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes of the same Railway, have been deposited with the Clerk of the Peace for the West Riding of the County of *York*; be it enacted, That subject to the Powers of Deviation contained in the Railways Clauses Consolidation Act, 1845, it shall be lawful for the said Company to make and maintain the Railway herein-after mentioned, with all proper Works and Conveniences connected therewith, in the Line delineated on the said Plans and Sections, and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the Lands as shall be necessary for such Purpose.

Line of  
Railway.

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

A Railway commencing by a Junction with the Main Line of the *Manchester, Sheffield, and Lincolnshire* Railway in the Township of *Thurgoland* in the Parish of *Silkstone* in the West Riding of the County of *York*, about Fifteen Chains eastwardly of the *Thurgoland* Station on the said last-mentioned Railway, and terminating at or near a Coal Pit called or known by the Name of the Middle Pit otherwise the Top or Number Three Pit,



Pit, belonging to Messrs. *Field, Cooper*, and Company, in the Township of *Stainborough* in the Parish of *Silkstone* in the said West Riding, which said last-mentioned intended Railway and Works will pass from, in, through, or into, or be situate within the several Parishes, Townships, and extra-parochial or other Places following, or some of them, (that is to say,) *Silkstone*, *Thurgoland*, and *Stainborough*, all in the said West Riding.

XI. And be it enacted, That, subject to the Provisions in the Railway Clauses Consolidation Act, 1845, contained in reference to the crossing of Roads on the Level, it shall be lawful for the Company in the Construction of the Railway by this Act authorized to be made to carry the same across the several Highways herein-after mentioned on the Level thereof; (that is to say,) Certain Roads may be crossed on the Level.

A Highway numbered 27 in the Township of *Thurgoland* in the Parish of *Silkstone* on the Plan and Book of Reference deposited as herein-before mentioned :

A Highway numbered 34 in the said Township of *Thurgoland* and Parish of *Silkstone* on the same Plan and Book of Reference.

XII. And be it enacted, That for the greater Convenience and Security of the Public the Company (in case they shall use locomotive Power upon the said Branch Railway) shall erect and permanently maintain either a Station or Lodge at the Points where the said Railway shall cross the before-mentioned Highways on the Level, and the said Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains worked by locomotive Power shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the said Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred. Company to erect a Station or Lodge at Points of crossing, and to abide by Regulations of Commissioners of Railways.

XIII. Provided always, and be it enacted, That, as regards the Road marked as herein-after mentioned on the said Plan and Book of Reference deposited as aforesaid, it shall be lawful for the Company to make the Rate of Inclination of such Road, when altered, as follows; (that is to say,) Inclination of a certain Road.

A Highway numbered 27 in the Township of *Thurgoland* in the Parish of *Silkstone*, One in Eight and a Half.

XIV. And be it enacted, That it shall be lawful for the Company in the Construction of the Bridges herein-after mentioned for carrying the said Railway over the Roads herein-after mentioned, and for carrying the Roads herein-after mentioned over the said Railway, to Regulations as to Construction of Bridges.

[*Local.*]

24 O

construct



construct such Bridges of such Height and Span and in such Manner as herein-after mentioned :

| Description.               | Position according to Plans and Sections deposited. |         | No. on said Plans. | Parish.   | Township.  | Proposed Dimensions. |         |                         |
|----------------------------|-----------------------------------------------------|---------|--------------------|-----------|------------|----------------------|---------|-------------------------|
|                            | Miles.                                              | Chains. |                    |           |            | Span.                | Height. | Width between Parapets. |
| Turnpike Road over Bridge. | 0                                                   | 29      | 15                 | Silkstone | Thurgoland | Feet. —              | Feet. — | Feet. 30                |
| Public Road over Bridge.   | 1                                                   | 55      | 49                 | Ditto -   | Ditto -    | —                    | —       | 20                      |

Lands for extraordinary Purposes.

XV. And be it enacted, That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes, not exceeding Fifteen Acres, in addition to the Lands which are authorized by the said recited Acts, or any Act which may be passed during the present Session of Parliament, to be taken for such Purposes.

Limiting Period for compulsory Purchase of Lands.

XVI. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Works.

XVII. And be it enacted, That that the said Railway hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said former Acts granted for executing the same Railway shall cease to be exercised, except as to so much of the same Railway as shall then be completed.

Limiting Charges for Conveyance.

XVIII. And be it enacted, That the Provisions contained in the said recited Act passed in the last Session of Parliament, intituled *An Act to amalgamate the Sheffield, Ashton-under-Lyne, and Manchester Railway Company, the Sheffield and Lincolnshire Junction, the Sheffield and Lincolnshire Extension, and the Great Grimsby and Sheffield Railway Companies, and the Grimsby Dock Company*, whereby the Clauses for the Conveyance of Passengers and of Goods and Cattle are limited and regulated, shall extend and apply to the Charges to be made in respect of the Use of the Branch Railway by this Act authorized, and of the Engines and Carriages employed by the Company thereon.

Railway Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55.,

XIX. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway* ; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways* ; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops* ; and another



another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the last Session of Parliament, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the said last Session of Parliament, intituled *An Act for constituting Commissioners of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the said Railways or the said Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Company, so far as the same are applicable.

7 & 8 Vict.  
c. 85., and  
9 & 10 Vict.  
cc. 57. & 105.

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

Railway to  
be subject to  
Provisions of  
any future  
general Act.

XXI. And be it enacted, That all the Costs, Charges, and Expences of and attending the passing of this Act, or incidental thereto, shall be paid by the said Company, *pari passu* with the Costs, Charges, and Expences of any other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies that shall come to their Hands, and in preference to any other Payment whatsoever.

Expences of  
Act.

XXII. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to refer to and describe it by the Title of "*The Manchester, Sheffield, and Lincolnshire Railway (Thurgoland Coal Branch) Act, 1847.*"

Short Title.

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

Public Act.



