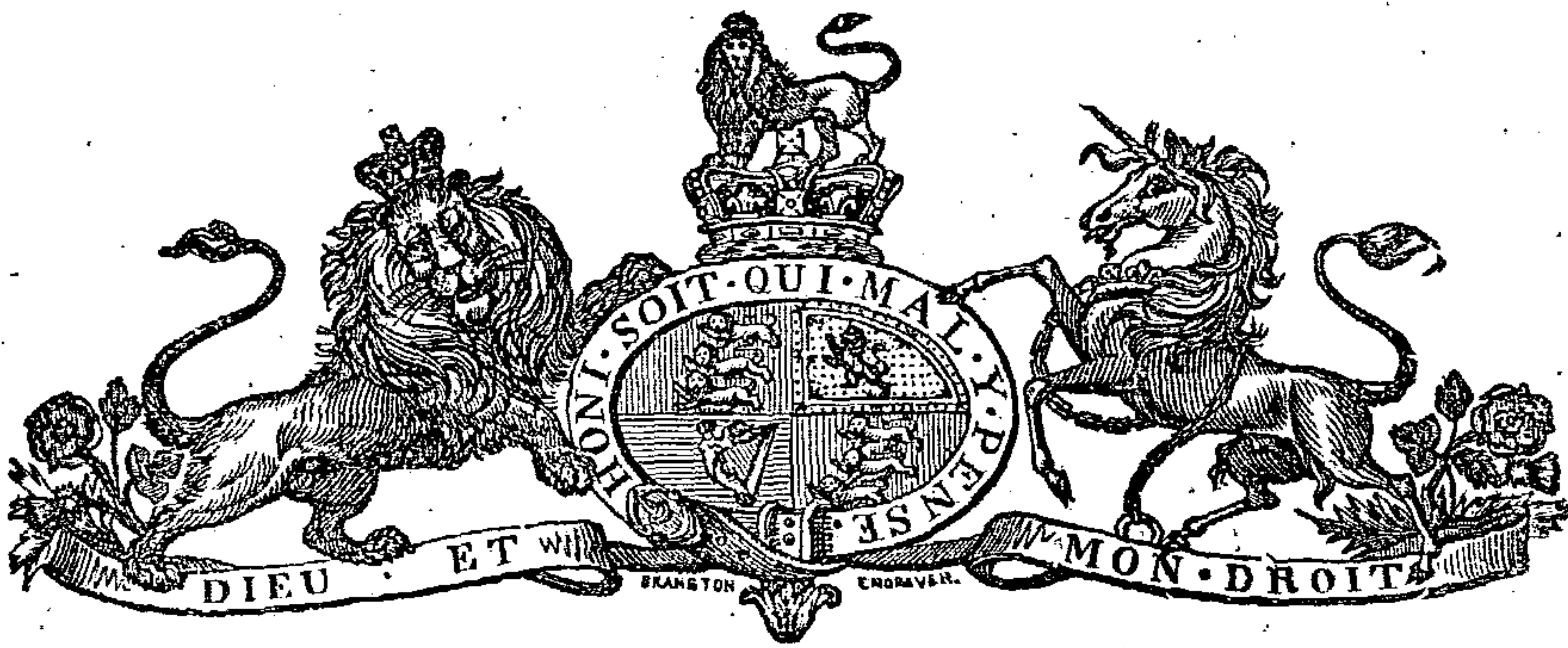




ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

Cap. lxxiii.

An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Railway to *Barnsley*, with Branches therefrom, all in the West Riding of the County of *York*.

[22d July 1848.]

WHEREAS an Act was passed in the Session of Parliament held in the Seventh Year of the Reign of His late 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, the Seventh and Eighth, and the Ninth and Tenth Years of the Reign of Her present Majesty: 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, to the Town and Port of Great Grimsby in the Parts of Lindsey in the County of Lincoln*,
[Local.] 8 N

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.

10 & 11 Vict.
c. 190.

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 said Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said present Majesty: 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 said Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said present Majesty, 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 said Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said present Majesty, 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 said Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said present Majesty, 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 Grimby 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 *Grimby 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 an Act was passed in the last Session of Parliament, intituled *An Act to incorporate the Manchester and Lincoln Union Railway and Chesterfield and Gainsborough Canal Company with the Manchester, Sheffield, and Lincolnshire Railway Company*, under the Provisions whereof the Undertaking of the said *Manchester and Lincoln Union Railway and Chesterfield and Gainsborough Canal Company* has been incorporated with and now forms Part of the Undertaking of the said *Manchester, Sheffield, and Lincolnshire Railway Company*: And whereas several other Acts were passed in the last Session of Parliament, relating to the said *Manchester, Sheffield, and Lincolnshire Railway Company*: And whereas it would be attended with local and public Advantage if the said *Manchester, Sheffield, and Lincolnshire Railway Company* were authorized to make

a Branch

a Branch Railway from the *Manchester, Sheffield, and Lincolnshire* Railway near *Oxspring* to *Barnsley*, with diverging Lines therefrom: 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 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.

Provisions of
8 & 9 Vict.
cc. 18. & 20.
extended to
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 Three hundred and forty-eight 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, 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: Provided always, that all and every Part of such Sum of Money so to be raised shall be applicable only to the Objects and Purposes by this Act authorized.

Power to
raise Money
by Creation
of new Shares.

New Shares
to form Part
of 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 Sum 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 One hundred and sixteen thousand 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,

Power to
borrow
Money
on Mortgage.

1845, provided, and subject to the several Provisions therein contained with respect to the borrowing of Money on Mortgage: Provided always, that all and every Part of such Sum of Money so to be borrowed shall be applicable only to the Objects and Purposes by this Act authorized.

Former Mortgages to have Priority.

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.

Mortgages, Transfers, &c. to be stamped.

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, wherein the Consideration for the same shall be truly stated, anything 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 Company'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.

Power to make Railways according to deposited Plans.

IX. And whereas Plans and Sections showing the Lines and Levels of the Railways 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 Railways respectively, 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 Railways herein-after mentioned, with all proper Works

Works and Conveniences connected therewith, in the Lines 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.

X. And be it enacted, That the said Railways so to be made shall be the following; (that is to say,) Lines of
Railway.

Firstly, a Railway commencing by a Junction with the Main Line of the *Manchester, Sheffield, and Lincolnshire* Railway in the Township of *Oxspring* in the Parish of *Penistone* in the West Riding of the County of *York* at or near a certain Post on the last-mentioned Railway denoting the Distance of Twenty-nine Miles from *Manchester* by such last-mentioned Railway, and terminating at *Barnsley* by a Junction with the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway in the Township of *Barnsley* in the Parish of *Silkstone* in the said West Riding, which said 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,) *Penistone, Silkstone, Darton, Royston, Oxspring, Thurgoland, Dodworth, Barugh, Gawber, and Barnsley*, all in the said West Riding of the County of *York* :

And also a Railway or Spur diverging out of and commencing by a Junction with the first-mentioned intended Railway in a Field lying westwardly of and adjoining the *Sheffield and Wakefield* Turnpike Road, belonging to *John Staniforth Beckett*, and in the Occupation of *Thomas Edward Taylor*, and terminating by a Junction with the Main Line of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway in a Field lying eastwardly of and adjoining the said *Sheffield and Wakefield* Turnpike Road, belonging to and in the Occupation of *Mrs. Elizabeth Anne Clarke*, which said last mentioned intended Railway or Spur is situate wholly within the said Township of *Barnsley* and Parish of *Silkstone* in the said West Riding :

Secondly, a Railway diverging out of and commencing by a Junction with the first-mentioned intended Railway in the Township and Parish of *Silkstone* in the said West Riding of the County of *York* at or near a Field in the said Township of *Silkstone* belonging to *David Johnson* and *Samuel Johnson*, and the Governors of the Free Grammar School of *Queen Elizabeth* at *Wakefield*, and the Trustees of other Charities there, and occupied by the said *David Johnson* and *Samuel Johnson*, and terminating by a Junction with the *Silkstone* Line of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway in or near a Field belonging to *John Spencer Stanhope* Esquire, and occupied by *James Allott*, lying westwardly of and adjoining a public Bridleway called *Royd Lane* in the Township of *Cawthorne* in the Parish of *Cawthorne*, all in the said West Riding of the County of *York*, which said last-mentioned intended Railway and Works will pass from, in, through, or into

[Local.]

8 O

or

or be situate within the several Parishes, Townships, and extra-parochial or other Places following, or some of them, (that is to say,) *Silkstone*, *Dodworth*, and *Cawthorne*, all in the said West Riding:

Thirdly, a Railway diverging out of and commencing by a Junction with the first-mentioned intended Railway at or near the said Field belonging to the said *David Johnson* and *Samuel Johnson*, and the Governors of the Free Grammar School of *Queen Elizabeth* at *Wakefield* and the Trustees of other Charities there, and occupied by the said *David Johnson* and *Samuel Johnson*, in the said Township and Parish of *Silkstone*, and terminating at or near a Tramway belonging to *Mrs. Sarah Anne Clarke*, *James Hobson Farrar*, and others, Devisees in Trust and Executors under the Will of the late *Robert Couldwell Clarke* deceased, and occupied by the said *Sarah Anne Clarke*, near a Place where the Brook which passes under the said Tramway divides the Townships of *Silkstone* and *Dodworth* in the said Township and Parish of *Silkstone*, all in the said West Riding of the County of *York*, 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* and *Dodworth*, all in the said West Riding:

Fourthly, a Railway diverging out of and commencing by a Junction with the first-mentioned intended Railway in the Township of *Dodworth* in the Parish of *Silkstone* at or near a Field adjoining to the *Doncaster and Saltersbrook* Turnpike Road belonging to *John Dodgson Charlesworth* and the Trustees of the late *Joseph Charlesworth* deceased, and occupied by *Jonathan Carnelly*, and terminating by a Junction with the *Dodworth Line* of the said *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway in the said Township of *Dodworth* at or near a Field belonging to *Frederick William Thomas Vernon Wentworth* Esquire, and occupied by *Richard Birks*, all in the said West Riding of the County of *York*, which 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*, *Dodworth*, and *Barnsley*, all in the said West Riding.

As to taking
Tramway of
the Barnsley
Canal Com-
pany.

XI. And be it enacted, That it shall not be lawful for the Company to purchase, take, or use, or in any Manner interfere with, the Tramway belonging to the *Barnsley Canal Company*, further than may be necessary for making the Diversions thereof as shown upon the Plans deposited as herein-before mentioned, without the Consent of the said *Barnsley Canal Company* first obtained for such Purpose.

Saving the
Rights, &c. of
the Barnsley
Canal Com-
pany.

XII. And be it enacted, That, except as herein specially provided, nothing herein contained shall repeal, abridge, or in anywise prejudice all or any of the Rights, Powers, and Privileges granted to or vested in the *Barnsley Canal Company*, or vested in any Person or Persons entitled to make Communications by Tramways to the said Canal,

but

but that all such Rights, Powers, and Privileges shall be and remain in the said *Barnsley* Canal Company, and in such Person or Persons last-mentioned, as fully and effectually, (except as aforesaid,) as if this Act had not been made; nevertheless, if in the Exercise of any such Rights, Powers, or Privileges it should become necessary to make Communications under, through, or over the said Railways, or any Embankment thereof, the same shall be made under the Direction and Superintendence of the Engineer for the Time being of the *Manchester, Sheffield, and Lincolnshire* Railway Company, but according to such Plans and Sections as shall be agreed upon between the said Engineer and the Engineer of the said Canal Company, or such Person or Persons as aforesaid, and at the Costs and Charges in all things of the said *Barnsley* Canal Company, or of the Person or Persons entitled as aforesaid, and requiring the same, and shall be made with all practicable Expedition, and so that the Passage along the said Railways and every Part thereof shall not thereby be unnecessarily interrupted, and so that none of the Works of the said Railways hereby authorized shall be injured or endangered: Provided always, that before it shall be lawful for the said *Barnsley* Canal Company, or the Person or Persons entitled as aforesaid, to commence the Works of any such Tramways or Communications as aforesaid, the said *Barnsley* Canal Company, or the Person or Persons entitled as aforesaid, shall give to the said *Manchester, Sheffield, and Lincolnshire* Railway Company, or their Secretary, Ten Days previous Notice of their Intention to commence such Works, which Notice shall be accompanied by a Plan and Section of the whole of the proposed Works on such Tramways or Communications, and shall show the Line and Level thereof, and the Mode in which it is proposed to affect the Railways hereby authorized to be made.

XIII. And be it enacted, That if any Difference or Dispute shall arise between the said *Manchester, Sheffield, and Lincolnshire* Railway Company and the said *Barnsley* Canal Company, or any such Person or Persons so entitled to make such Communications as aforesaid, or between the respective Engineers of such Companies or Persons, as the Case may be, with respect to the Mode or Manner of constructing any such Communications by Tramways under, through, or over the said Railways or any Embankment thereof, or as to the Plans and Sections according to which the same ought to be constructed, the Matter in dispute shall be referred to the Decision of the Commissioners of Railways, whose Decision shall be binding and conclusive upon all Parties concerned; and the said Commissioners shall have Power to make such Rules and Regulations with reference to the Construction of the Works necessary for forming such Communications, and the Period within which the same shall be completed, and for preventing unnecessary Interruption or Inconvenience to the Passage of the Traffic upon the Railways hereby authorized, and for securing the said Railways from Damage or Injury arising from the Construction of the said Works, as they shall from Time to Time think fit; and if any of the said Parties, or any Person acting under their Authority, shall neglect or infringe any of such Rules or Regulations, he shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Disputes between certain Companies as to Communications to be referred to Railway Commissioners.

XIV. And

Disputes
between
those Com-
panies as to
Diversions of
Tramways,
&c. to be
referred to
Railway Com-
missioners.

Saving Rights
of Sheffield,
&c. Railway
Company.

Junctions
with the
Sheffield,
Rotherham,
&c. Railway
to be under
the Direction
of the En-
gineer of the
Company.

Lands of that
Railway
Company not
to be taken
without Con-
sent.

XIV. And be it enacted, That in case any Difference or Dispute shall arise between the said *Manchester, Sheffield, and Lincolnshire* Railway Company and the said *Barnsley* Canal Company, in reference to the Execution of the Diversions of the Tramway belonging to the said Canal Company, or to the Traffic passing along the same, any such Difference or Dispute shall be referred to the Commissioners of Railways, whose Decision shall be final and conclusive on all Parties.

XV. Provided always, and be it enacted, That nothing in this Act contained shall extend to affect, prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company, but all the Rights, Privileges, and Franchises of the said Company, and all Powers and Authorities conferred upon them in and by the said Company's Act of last Session of Parliament, shall be and they are hereby saved and reserved.

XVI. And be it enacted, That the Junctions of the said Railway and Branches hereby authorized to be made with the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway, and all such Openings in the Ledges or Flanches of the said Railway as may be necessary or convenient for effecting such Junctions, shall be made by and at the Expense of the *Manchester, Sheffield, and Lincolnshire* Railway Company, under the Direction and Superintendence and to the Satisfaction of the Engineer for the Time being of the said *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company: Provided nevertheless, that if such Engineer of the said last-mentioned Company should prescribe a Mode for effecting the said Junctions which the Engineer for the Time being of the *Manchester, Sheffield, and Lincolnshire* Railway Company cannot or shall not approve, then such Junctions shall be effected in such Manner as shall be approved of and directed by the Commissioners of Railways, and not otherwise: Provided also, that if within One Calendar Month after Request in Writing made to the Engineer or Secretary of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company for that Purpose, such Engineer shall neglect or refuse to prescribe a proper Mode of effecting such Junctions, then it shall be lawful for the Engineer of the said *Manchester, Sheffield, and Lincolnshire* Railway Company to effect the same in such Manner as shall be prescribed and approved by the said Commissioners of Railways.

XVII. And be it enacted, That, unless with the Consent in Writing of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company, it shall not be lawful for the *Manchester, Sheffield, and Lincolnshire* Railway Company to purchase or take any Lands, Grounds, or Buildings of or belonging to the former Railway Company at the Time of the passing of this Act, or for the Purchase of which they may on or before the First Day of June One thousand eight hundred and forty-seven have contracted, either for the Purposes of the said Railway or for any Station to the said Railway, and that it shall not be lawful for the *Manchester, Sheffield, and Lincolnshire* Railway Company to alter or vary or interfere with the said

said Company's Works, except so far and in such Manner as may be necessary for the Formation of the said Junction in manner and subject to the Provisions herein-before contained: Provided nevertheless, that the said *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company shall permit and suffer the said *Manchester, Sheffield, and Lincolnshire* Railway Company to lay down and construct, over and upon the Lands of the said *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company, such Line or Lines of Railways, within the Limits of Deviation defined on the said Plans, for forming the said Junction, as shall be necessary or convenient under the Provisions of this Act.

XVIII. And be it enacted, That in case any Difference or Dispute shall arise between the Company and the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company, in reference to any Lands, Grounds, or Buildings which may be required by either of the said Companies, and which they have mutually Power to purchase, (except such Lands, Grounds, or Buildings as may have been purchased or contracted to be purchased by the said *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway Company prior to the First Day of *June* One thousand eight hundred and forty-seven,) or as to the Mode in which such Junction shall be effected, every such Difference or Dispute shall be referred to the Railway Commissioners, whose Award and Determination shall be binding and conclusive on both the said Companies.

Disputes between certain Railway Companies to be referred to Railway Commissioners.

XIX. 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 Railways by this Act authorized to be made, to carry the same across the several Turnpike Roads and Highways herein-after mentioned on the Level thereof; (that is to say,)

Certain Roads may be crossed on the Level.

MAIN LINE (being the Railway firstly herein-before described):

A Highway numbered 6, in the Township of *Thurgoland* and Parish of *Silkstone* in the Plan and Book of Reference deposited as herein-before mentioned:

A Highway numbered 69 in the Township and Parish of *Silkstone* on the same Plan and Book of Reference:

A Highway numbered 71 in the Township of *Barnsley* in the Parish of *Silkstone* on the same Plan and Book of Reference:

MOOR END BRANCH (being the Railway thirdly herein-before described):

A Highway numbered 26 in the said Township and Parish of *Silkstone* in the Plan and Book of Reference deposited as herein-before mentioned:

SILKSTONE BRANCH (being the Railway secondly herein-before described):

A Highway numbered 51 in the said Township and Parish of *Silkstone* in the Plan and Book of Reference deposited as herein-before mentioned:

A Turnpike Road numbered 77 in the said Township and Parish of *Silkstone* on the same Plan and Book of Reference.

[Local.]

8 P

XX. And

Company to erect a Station or Lodge at Points of crossing, and abide by Regulations of Commissioners of Railways.

XX. And be it enacted, That, for the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the Points where the said Railways cross the before-mentioned Roads 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 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 Points 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.

Provision as to Rates of Inclination of certain Roads.

XXI. Provided always, and be it enacted, That, as regards the Roads 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 Rates of Inclination of such Roads respectively, when altered, as follows; (that is to say,)

MAIN LINE :

A Highway numbered 131 in the Township of *Dodworth* in the Parish of *Silkstone* One in Thirteen :

A Highway numbered 15 in the Township of *Barugh* in the Parish of *Darton* One in Fourteen, One in Sixteen, and One in Twenty-two :

A Highway numbered 34 in the said Township of *Barugh* One in Twenty-five :

A Turnpike Road numbered 15 in the Township of *Barnsley* in the said Parish of *Silkstone* One in Twenty-four :

A Highway numbered 71 in the said Township of *Barnsley* One in Eleven :

MAIN LINE and the BRANCH C.D. (being the firstly herein-before described Spur out of the said Main Line) :

A Turnpike Road numbered 81 in the said Township of *Barnsley* One in Eighteen and One in Twenty-four :

SILKSTONE BRANCH :

A Highway numbered 51 in the Township of *Silkstone* and Parish of *Silkstone* One in Twelve and a Half :

A Turnpike Road numbered 77 in the said Township of *Silkstone* One in Fifteen and One in Twenty-four :

A Bridleway numbered 106a in the said Township of *Silkstone* One in Twenty-eight :

DODWORTH BRANCH (being the Railway fourthly herein-before described) :

A Highway numbered 71 in the Township of *Dodworth* in the Parish of *Silkstone* One in Twenty-one.

Regulating Construction of Bridges.

XXII. And be it enacted, That it shall be lawful for the said Company, in the Construction of the Bridges herein-after mentioned, for

for carrying the said Railways hereby authorized to be made over the Roads herein-after mentioned, and for carrying the Roads herein-after mentioned over the same Railways, to 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.
Main Line.								
Turnpike Roads under Bridges -	0	19	12	Penistone -	Oxspring -	Feet. 30	Feet. 16	
	6	77	81	Silkstone -	Barnsley -	30	16	
Over Bridges - -	3	66	117	Ditto - -	Dodworth -	—	—	30
	6	3	15	Ditto - -	Barnsley -	—	—	30
	8	0	10	Royston -	Monk Bretton	—	—	30
Public Roads under Bridges -	2	18	32	Silkstone -	Silkstone -	20	15	
	2	22	57	Ditto - -	Ditto - -	20	15	
	2	29	51	Ditto - -	Ditto - -	20	15	
	5	25	34	Darton - -	Barugh - -	20	15	
	5	30	64	Ditto - -	Ditto - -	20	19	
Moor End Branch.								
Turnpike Road under Bridge -	0	7	4	Silkstone -	Silkstone -	20	16	
Silkstone Branch.								
Public Road under Bridge - -	1	34	106a	Silkstone -	Silkstone -	20	15	
Dodworth Branch.								
Turnpike Roads under Bridge -	0	21	14	Silkstone -	Dodworth -	30	16	
Over Bridge - -	0	71	55	Ditto - -	Ditto - -	—	—	30
Public Road under Bridge - -	1	14	71	Ditto - -	Ditto - -	20	15	
Branch C.D.								
Turnpike Road under Bridge -	0	3	81	Silkstone -	Barnsley -	30	16	

XXIII. And be it enacted, That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes, not exceeding Thirty 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. Land for extraordinary Purposes.

XXIV. 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 compulsory Purchase of Lands limited.

XXV. And be it enacted, That the said Railways hereby authorized shall be completed within Five Years from the passing of this Act, Period for Completion of Works.

Act, and on the Expiration of such Period the Powers by this or the said former Acts granted for executing the same Railways shall cease to be exercised, except as to so much of the same Railways as shall then be completed.

South Yorkshire, Doncaster, and Goole Railway Company may use Parts of Railway authorized by this Act.

XXVI. And whereas the *South Yorkshire, Doncaster, and Goole* Railway Company have Powers to construct Railways in the immediate Neighbourhood of the Railways by this Act authorized, and in some Places forming Junctions therewith: Be it enacted, That it shall be lawful for the same Company to use, with Engines and Carriages, the Railways firstly, secondly, and thirdly herein-before described, on such Conditions as, failing any Agreement between the Companies, may be settled by the principal Engineers thereof, or, in case of their Difference, by some Person to be appointed by them: Provided always, that in so using or traversing the said Railways the *South Yorkshire, Doncaster, and Goole* Railway Company shall observe the Bye Laws and Regulations of the *Manchester, Sheffield, and Lincolnshire* Railway Company applicable to them.

Accommodation to be provided for booking Passengers and Goods.

XXVII. And be it enacted, That all reasonable Accommodation and Facility shall be afforded by the Company, at their several Stations on the Railways firstly, secondly, and thirdly by this Act authorized, for the Booking of Passengers who may be desirous of being conveyed, and of all Goods conveyed or directed to be conveyed, by any of the Trains of the *South Yorkshire, Doncaster, and Goole* Railway Company, which, under the Powers herein-before contained, may start from or arrive at any such Stations; and the additional Expense which the Company may incur in providing such Accommodation (whether in the Employment of Officers or otherwise) to the *South Yorkshire, Doncaster, and Goole* Railway Company shall be borne by the last-named Company, the Amount of such Expense to be from Time to Time settled and determined by Agreement between the said Companies, or if the Parties shall differ, then in the Manner herein-before provided for the Settlement of Matters in difference or dispute between the said Companies.

Disputes between Companies to be settled by Arbitration.

XXVIII. And be it enacted, That in case there shall be any Dispute between the said Companies respecting any such Regulations or Bye Laws, or respecting the Mode in which the *South Yorkshire, Doncaster, and Goole* Railway Company shall exercise any of the Powers or Privileges herein-before given to them, or respecting the Regulations to be adopted by the said Companies for the Convenience and Accommodation of each other, or for the Protection of or relating to their own Traffic respectively, or respecting any other Matter or Thing arising out of the Provisions of this Act or in relation thereto, for the Settlement of which express Provision has not been herein-before already made, the same shall be decided and determined in the Manner herein-before provided: Provided always, that neither such Regulations and Bye Laws as aforesaid, nor the Award thereon of the said Engineers or their Umpire, shall have any Force or Virtue unless and until the same shall have been approved of and confirmed by the Commissioners of Railways.

XXIX. And

XXIX. And be it enacted, That the Provisions contained in the said recited Act passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, 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.

Limiting
Charges for
Conveyance,
as in recited
Act, 9 & 10
Vict. c. 268.

XXX. 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 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 Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the same 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.

Railway
Company to
be subject
to the Pro-
visions of
1 & 2 Vict.
c. 98.,
3 & 4 Vict.
c. 97.,
5 & 6 Vict.
c. 55.,
7 & 8 Vict.
c. 85., and
9 & 10 Vict.
cc. 57. 105.

XXXI. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made 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
future general
Acts.

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

Expenses of
Act.

[Local.]

8 Q

XXXIII. And

Short Title. XXXIII. 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 (Barnsley Junction and Branches) Act, 1848.*"

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

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