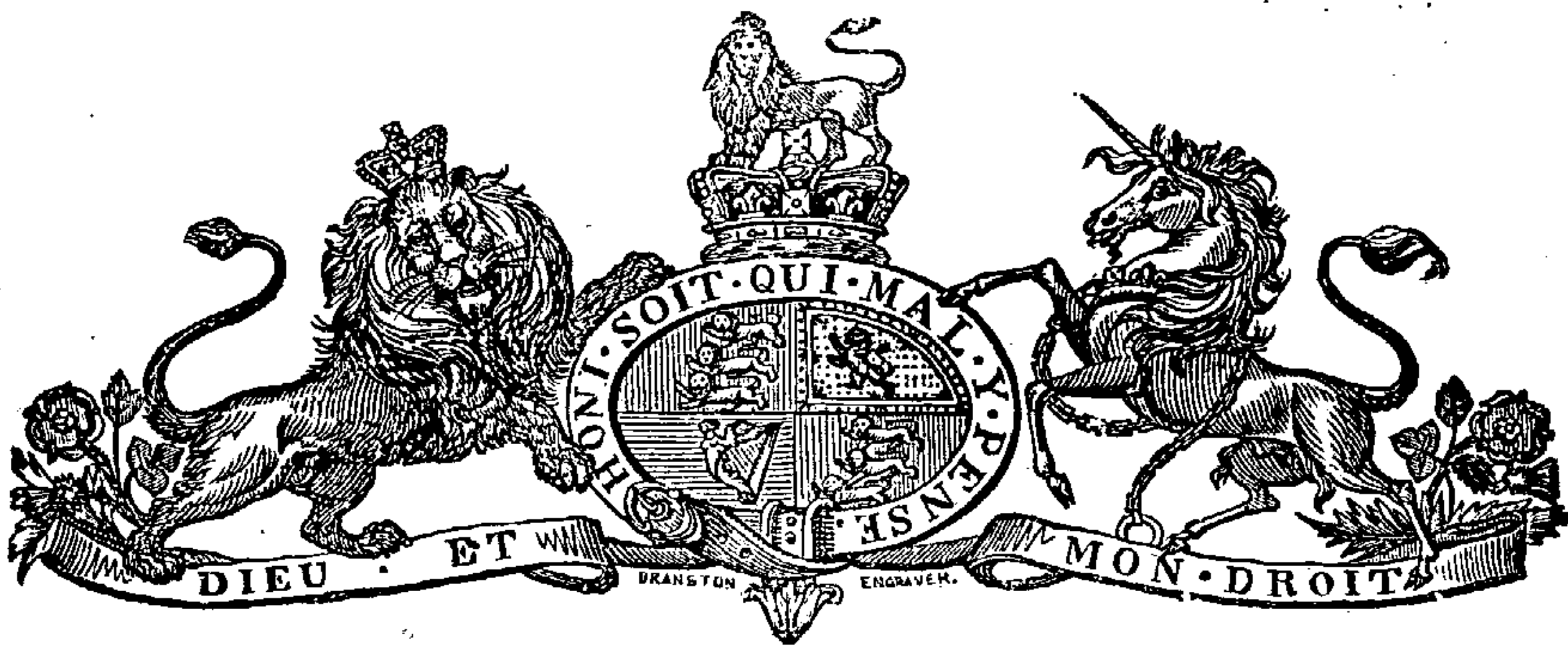




ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

Cap. xciii.

An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to construct an additional or enlarged Station at *Sheffield*, and to make a Branch Railway to the *Sheffield* Canal.
[22d July 1848.]

WHEREAS 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, 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*,
[Local.] 12 G to

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.

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 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 Junction 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 Grimsby Dock Company*, under the Provisions whereof the said *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 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

attended with public and local Advantage if the *Manchester, Sheffield, and Lincolnshire* Railway Company were authorized to construct an additional or enlarged Station adjoining or near to the Main Line of that Part of their Railway heretofore called the *Sheffield and Lincolnshire Junction* Railway, within the Townships of *Brightside Bierlow* and *Sheffield*, and also to make a Branch Railway from the Line of the said *Sheffield and Lincolnshire Junction* Railway in the Township of *Attercliffe-cum-Darnall* to or near to the Canal Warehouse in the Township of *Sheffield*, together with an additional Station adjoining or near to the said intended Branch Railway, all in the Parish of *Sheffield* 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 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.

Certain 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 One hundred and eighty 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

Power to borrow on Mortgage.

on

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 Sixty 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, 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
and Trans-
fers, &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, 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 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 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 Station,
Branch Rail-
way, &c.

IX. And be it enacted, That it shall be lawful for the Company to construct an additional or enlarged Station, with all necessary Roads and

and Approaches thereto, and other Works connected therewith, adjoining or near to the Main Line of that Part of their Railway heretofore called the *Sheffield and Lincolnshire Junction* Railway, within the Townships of *Brightside Bierlow* and *Sheffield*, in the Parish of *Sheffield* in the West Riding of the County of *York*, and also to make and maintain the Branch Railway herein-after mentioned, with all proper Works and Conveniences connected therewith, and to construct an additional Station, with all necessary Roads, Approaches, and other Works connected therewith, adjoining or near to the said intended Branch Railway in the Township and Parish of *Sheffield*, the said before-mentioned Works respectively to be made in the Line and respective Situations delineated on the Plans thereof deposited with the Clerk of the Peace for the West Riding of the County of *York*, and upon the Lands delineated on the said Plans and described in the Books of Reference therewith deposited, and the said Branch Railway to be made according to the Sections thereof deposited with the said Plans; and it shall be lawful for the Company to take and use such of the said Lands as shall be necessary for such Purposes.

X. Provided always, and be it enacted, That if the Company which for the Time being may be in possession as Owner or Lessee of so much of the Line of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway as lies to the South of the Town of *Barnsley*, shall, within One Calendar Month after the passing of this Act, give Notice to the *Manchester, Sheffield, and Lincolnshire* Railway Company that they have selected any Two of the Arches of the said last-mentioned Company over the *Blonk Dam* (which Arches are to be of not less than Thirty Feet clear Span), and require the same to be continued for the whole Width of the Station hereby authorized, the said *Manchester, Sheffield, and Lincolnshire* Railway Company shall and they are hereby required to continue such Arches at such Height as shall be agreed upon between the Engineers of the said Two Companies within One Month after the passing of this Act, or failing their Agreement, then within the same Period, by an Umpire to be appointed between them, through the whole Width of the said Station; and that all additional Expense caused by such Arches shall be paid by the Company requiring the same; and provided that such Two Arches shall not prevent the making of an Approach from the Arches to the said Station: Provided always, that nothing in this Act contained shall be interpreted as any Expression of the Opinion of Parliament as to the Expediency of any Line or Lines of Railway through or under such Arches as aforesaid.

Company may be required in a certain Event to continue Two of the Arches over the Blonk Dam for the whole Width of the Station.

XI. Provided always, and be it enacted, That it shall not be lawful for the Company to take or use any other Part of the Lands and Premises delineated on the said Plans, and described in the said Books of Reference by the Numbers 114 and 149 in the Township of *Sheffield* in the Parish of *Sheffield*, than would be situate on the East Side of a straight Line drawn from the North Side of *Blonk Street*, at the Point crossed by the dotted Line showing the Limits of Deviation on the said Plans, and passing in a North-easterly Direction at a Distance not less in any Place than One hundred and Forty

Not to take certain Lands without Consent.

[Local.]

12 H

Feet

Feet from the East Side of the River *Dun*, without the Consent in Writing of the Party or Parties who would, under and by virtue of the Lands Clauses Consolidation Act, 1845, and of this Act, or otherwise, be authorized to sell and convey the same Lands and Premises.

Not to take
Property of
E. Smith
without
Consent.

XII. Provided always, and be it enacted, That it shall not be lawful for the Company to take any of the Land or Property of *Edward Smith*, numbered respectively 2 and 4 on the said Plans, in the Township of *Brightside Bierlow* in the Parish of *Sheffield*, without the Consent of the said *Edward Smith*, his Heirs, Executors, Administrators, and Assignee, first obtained.

Line of
Branch
Railway.

XIII. And be it enacted, That the said Branch Railway shall commence by a Junction with the Line of the *Sheffield and Lincolnshire Junction* Railway as authorized to be made by the said first-recited Act, at or near a certain Field in the Township of *Attercliffe-cum-Darnall* in the Parish of *Sheffield* in the West Riding of the County of *York*, and numbered 2 on the Plans of the said Railway referred to in the said Act; thence shall pass from, in, through, or into the several Parishes, Townships, and extra-parochial Places of *Attercliffe-cum-Darnall* and *Sheffield* in the said West Riding of the County of *York*, and shall terminate at or near the Canal Warehouse in the Township and Parish of *Sheffield* in the said West Riding of the County of *York*.

Company
not to use
Lands of
Canal Com-
pany not
included in
Limits of
Deviation.

XIV. Provided always, and be it enacted, That nothing in this Act contained shall authorize the Railway Company so to use or appropriate for the Purpose of the said Railway, or for the Works or Stations connected therewith, any of the Lands or Hereditaments belonging to the said Canal Company not included within the Limits of Deviation shown upon the Plan herein-before referred to, as to prevent the same being continued to be so used as Wharfage, anything to the contrary herein contained in anywise notwithstanding.

As to Con-
struction of
Part of
Station.

XV. And whereas it is expedient that Provision should be made on Part of the Land on which the said Station is to be constructed for the Accommodation of the Merchandize conveyed along the *Sheffield* Canal to or from the River *Dun*: Be it enacted, That it shall be lawful for the Company to enter into Agreements with the Company of Proprietors of the Navigation of the River *Dun* touching the Construction of the said Station and the Use thereof for the Purposes of the said Merchandize.

Lands for ex-
traordinary
Purposes.

XVI. And be it enacted, That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes not exceeding Five Acres, in addition to the Lands which are authorized by the said recited Acts to be taken for such Purposes.

Period for
compulsory
Purchase
of Lands
limited.

XVII. 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.

XVIII. And

XVIII. And be it enacted, That the said Railway and Works 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 shall cease to be exercised, except as to so much of the same as shall then be completed.

Period for
completion
of Works.

XIX. 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.

Charges
limited by
9 & 10 Vict.
c. 268. for
Conveyance
of Passen-
gers, &c. to
extend to
Charges
under this
Act.

XX. 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 Railway and Works 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 Railway and Works 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.

XXI. 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 on this Act.

Railway not
exempt
from Pro-
visions of
future
general Acts.

XXII. And

Expenses
of Act.

XXII. 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.

Short Title
of Act.

XXIII. 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 Railways (Station at Sheffield and Branch to the Sheffield Canal) Act, 1848.*"

Public Act.

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

LONDON : Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1848.