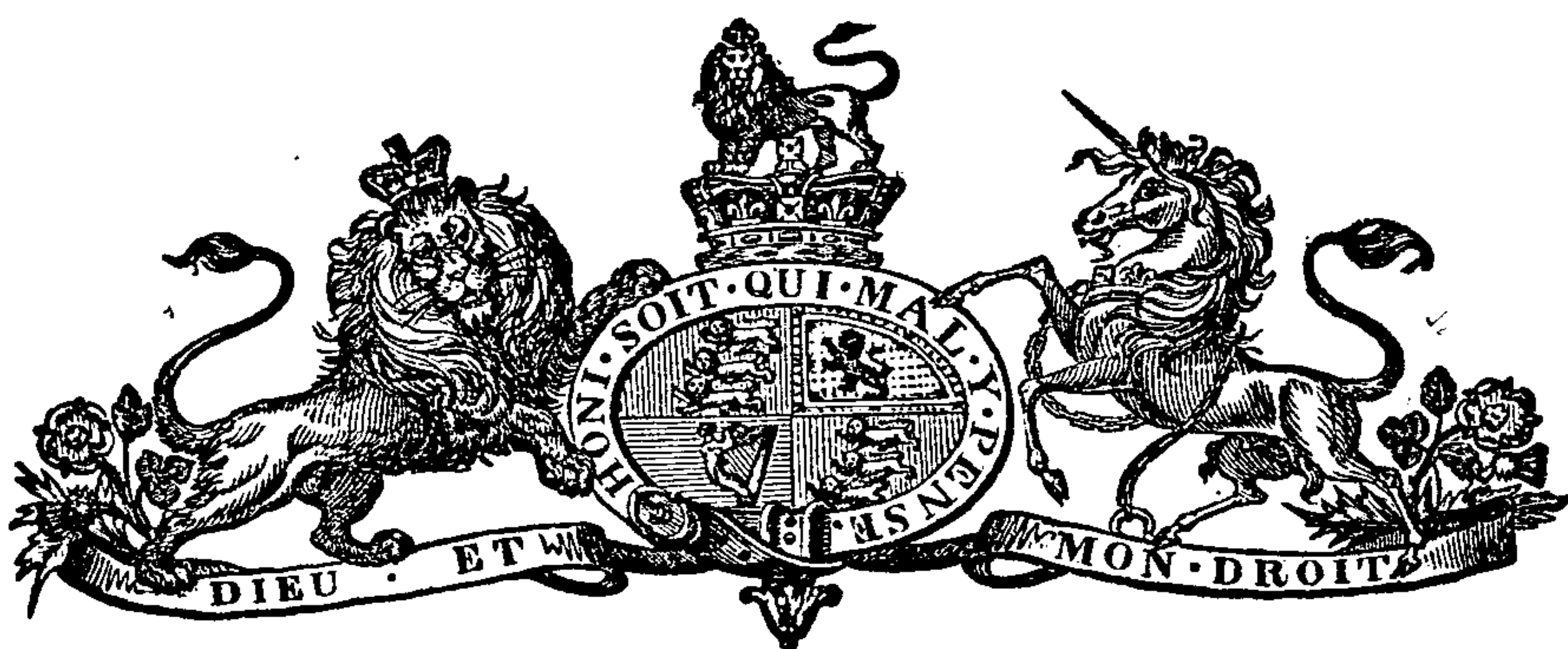




ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. cxi.

An Act to enable the *Leeds, Bradford, and Halifax Junction* Railway Company to construct certain Branch Railways in the West Riding of the County of *York*; and for other Purposes.

[4th *August* 1853.]

WHEREAS the *Leeds, Bradford, and Halifax Junction* Railway Company were incorporated by “The *Leeds, Bradford, and Halifax Junction* Railway Act, 1852,” for constructing the Railway and Works in the said Act mentioned, and for other Purposes: And whereas it is expedient that the said Company should be empowered to make and construct the new Lines of Railway, Stations, and Works herein-after mentioned, and to raise a further Sum of Money: And whereas it is also expedient that some of the Powers and Provisions of the said recited Act should be altered, amended, extended, 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, as follows, that is to say:

[*Local.*]

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I. That

The Leeds, Bradford, and Halifax Junction Railway Act, 1853.

8 & 9 Vict.
cc.18. and 20.
incorporated
with this Act.

I. That "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall respectively be incorporated with and form Part of this Act.

Short Title.

II. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*The Leeds, Bradford, and Halifax Junction Railway Act, 1853.*"

Interpreta-
tion of Term.

III. That in this Act wheresoever the Words "the Company" are used, the same shall be held to mean the *Leeds, Bradford, and Halifax Junction Railway Company*, and where the Words "recited Act" are used the same shall be held to mean the said Act of Parliament herein-before recited, except where there is something in the Context repugnant to such Construction.

Power to
make Rail-
ways and
Works.

IV. And whereas Plans and Sections of the new Lines of Railway and Works by this Act authorized, showing the Lines and Levels thereof respectively, together with Books of Reference to such Plans, containing the Names of the reputed Owners, Lessees, and Occupiers of the Lands through which the same respectively are intended to pass or be made and proposed to be taken under the Authority of this Act, 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 Provisions of this Act and of the Acts incorporated herewith) it shall be lawful for the Company to make, construct, and maintain the Railways hereinafter mentioned, together with all necessary Works, Stations, and Conveniences connected therewith, in the Lines and according to the Levels shown upon the said Plans and Sections, and upon the Lands delineated on the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary or requisite for such Purposes, or any of them.

Description
of Railways.

V. That the Lines of Railway to be made under the Authority of this Act shall be the following; (that is to say,)

A Railway to commence from and out of the Line of the *Leeds and Bradford and Halifax Junction Railway*, as now authorized, at or near *Leicester Dyke*, otherwise called *Laister Dyke*, in the Township of *Bradford*, and to terminate at *Gildersome Street*, in the Township of *Gildersome*:

And a Branch Railway to commence from and out of the Line of the *Leeds, Bradford, and Halifax Junction Railway*, at or near *Leicester Dyke*, otherwise called *Laister Dyke* aforesaid, and to terminate in the Town of *Bradford* at or near the Part of the *Wakefield and Bradford Turnpike Road* called *Bridge Street* in the Township of *Bradford*, all in the West Riding of the County of *York*:

And

The Leeds, Bradford, and Halifax Junction Railway Act, 1853.

And the said Lines of Railway, Stations, Works, and Conveniences shall be and become Part of the Undertaking of the Company.

VI. That in carrying the Railway through or over the Estate of the Reverend *Godfrey Wright*, in the Township of *Bradford*, the Company shall and they are hereby required to erect and construct a Bridge over each of the Two Streets called *Croft Street* and *Hamerton Street* of such Dimensions so as to leave a Roadway under each Bridge of not less Width than Thirty Feet, and so that the Arch or Opening of each Bridge shall be Sixteen Feet high from the Middle of the Soffit of such Arch to the Surface of the Roadway, and that the Bridge over the said Street called *Croft Street* shall be at or near the Point marked $4\frac{1}{2}$ Furlongs on the Plan and Sections of the said Railway for the Township of *Bradford*, deposited with the Clerk of the Peace for the West Riding of the County of *York*, and that the Bridge over the said Street called *Hamerton Street* shall be at or near the Point marked 5 Furlongs and 6 Chains on the said Plan; and that the Abutment Walls of each Bridge shall be parallel with the Line of the Street over which it extends, and that the Surface of each of the said Streets shall be Eighteen Feet and Six Inches below the Surface of the Railway extending over such Street, as shown on the aforesaid Plans and Sections of the said Railway.

Works to be constructed to protect the Estate of the Rev. G. Wright.

VII. That in constructing the Railway over *Mount Street* in the Township of *Bradford*, and numbered 63 on the Plan of the said Railway deposited with the Clerk of the Peace for the West Riding of the County of *York*, the Company shall and they are hereby required to carry the said Railway over the said *Mount Street* by a Bridge, to be constructed so that the Abutment Walls of the said Bridge shall be built parallel to the Line of the said Street, and of the same Width as the said Street where the said Bridge is proposed to be built, not exceeding Thirty-six Feet between the Abutment Walls, and so that the Middle of the Soffit of the Arch shall not be more than Two Feet Six Inches, and the springing of the Arch shall not be more than Six Feet Six Inches, below the Level of the Rails shown on the said Plan, and the Foundations of the Abutments shall be laid at a Depth sufficient to allow of a Roadway being formed under the said Bridge at such a Level as will leave a clear Headway in the Centre of the said Bridge of Sixteen Feet.

As to Construction of Bridge over Mount Street in Bradford

VIII. Provided, That, notwithstanding anything contained in this Act, or in "The *Leeds, Bradford, and Halifax Junction Railway Act, 1852*," it shall not be lawful for the Company, without the previous Consent of the *Lancashire and Yorkshire Railway Company* signified under their Common Seal, to use the Stations of the last-mentioned Company at *Bradford* and *Halifax*, or either or any Part of

Company not to use Stations, &c., of the Lancashire and Yorkshire Railway Company.

The Leeds, Bradford, and Halifax Junction Railway Act, 1853.

of such Stations respectively, and the Watering Places, Offices, Warehouses, Sidings, or other Conveniences connected with either of the said Stations, for the Traffic or Conveyance of any Coals, Cannel, or Slack brought from either of the said Lines of Railway hereby authorized to be made upon the main or any other Line of Railway of the Company, and from thence upon any Line of Railway belonging to the said *Lancashire and Yorkshire* Railway Company, either solely or in conjunction with any other Railway Company or Companies, unless and until an Agreement shall have been entered into and concluded between the Two Companies providing for or authorizing such Use and adjusting the Terms and Conditions thereof: Provided also, that the *Lancashire and Yorkshire* Railway Company shall give to the Company all reasonable and necessary Facilities for making and continuing Communications for Railway Traffic between the Railway and Lands of the *Lancashire and Yorkshire* Railway Company in or near the *Halifax* Station, and any Land which the Company may acquire or use for Railway Traffic, the Position and Nature of such Communication to be settled and determined (at the Request in Writing of either of the said Companies) by Mr. *John Hawkshaw*, the present Engineer of both the said Companies, or in case of his Death or Incapacity to act, then by some Engineer to be appointed by the Board of Trade.

Power to cross certain Roads on the Level.

IX. That, subject to the Provisions of “The Railways Clauses Consolidation Act, 1845,” in reference to the crossing of Roads on a 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 and on the Level of the several public Roads or Highways numbered on the Plans deposited as herein-before mentioned as follows; (that is to say,)

Number on Plan.	Parish.
58	Tong.
67	Tong.
28	Gomersall.

Company to erect a Station or Lodge at Points of crossing, and abide by Rules, &c. of Board of Trade.

X. That, for the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the several 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 Board of Trade; and if the said Company shall fail to erect or at all Times maintain any such Station

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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 imposed.

XI. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time, either before or after the Railways by this Act authorized to be made shall have been completed and opened for Public Traffic, to require the Company, within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry the herein-before mentioned Roads either under or over the Railway by means of a Bridge or Arch, in lieu of crossing the same on the Level, and to execute such other Works as, under the Circumstances of the Case, shall appear to the said Board of Trade the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Board of Trade may require a Bridge to be erected in lieu of level Crossing.

XII. That in carrying the respective Roads numbered as herein-after mentioned on the said Plans over, under, or across the Railway, it shall be lawful for the Company to make the Inclinations of the said Roads such as, or not steeper than, those herein-after mentioned; (that is to say,)

Regulating Inclinations of certain Roads.

No. on Plan.	Township.	Description of Road.	Proposed Inclination.
5	North Bierley	Public Carriage Road	1 in 17
11	Hunsworth -	Turnpike Road -	1 in 23

XIII. That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes, not exceeding Twenty-five Acres, in addition to the Lands which the Company are by the said recited Act authorized to take for such Purposes.

Lands for extraordinary Purposes.

XIV. That the Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Limiting Period for compulsory Purchase of Lands.

XV. That the Railways and Works by this Act authorized shall be completed within Three Years after the passing of this Act, and at the Expiration of such Period the Powers by this Act or the Acts incorporated herewith granted to the Company for executing the said Railways and Works, or otherwise in relation thereto, shall cease

[Local.]

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to

Period for Completion of Works.

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to be exercised, except as to so much of the said Railways and Works as shall then have been completed.

Deposit
Money not
to be repaid
unless within
a limited
Time Line
opened or
Half the
Capital paid
up and ex-
pended; ex-
cept on Exe-
cution of
Bond.

XVI. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, c. 20, a Sum of Nine thousand eight hundred and eighty Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railways authorized by this Act, has been deposited with the Court of Chancery in *England*, in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Nine thousand eight hundred and eighty Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railways hereby authorized to be made, either open the said Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railways for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall, immediately from and after the Expiration of the said Period, be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided, that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of Nine thousand eight hundred and eighty Pounds shall have been executed by the Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Nine thousand eight hundred and eighty Pounds, if the Company shall not, within the
Time

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Time limited for the Completion of the said Railways, either open the said Railways for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money and the Interest or Dividends thereof shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money and the Interest or Dividends thereof would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

XVII. That it shall be lawful for the Company, and they are hereby authorized and empowered, to demand, receive, and take, for and in respect of Passengers, Goods, Merchandize, Animals, and other Articles, Matters, and Things conveyed on the said Railways hereby authorized to be constructed, the like Tolls, Rates, and other Charges; with the like Powers, as the Company are authorized and empowered to demand, receive, and take in and by the said recited Act for and in respect of the Railways and Works thereby authorized. Tolls.

XVIII. That it shall be lawful for the Company to raise, by creating new Shares of the nominal Value of Twenty-five Pounds each, in addition to the Capital which they are at present authorized to raise, any further Sum of Money not exceeding in the whole the Sum of One hundred thousand Pounds, and the whole of the Money to be received by the Company under and by virtue of this Act shall be applied for the Purposes of the Company as authorized by this or the said recited Act. Power to
raise new
Capital by
Creation of
new Shares.

XIX. That the Capital so to be raised by the Creation of new Shares shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares. New Shares
to be subject
to the same
Provisions
as original
Shares.

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Shares on Nonpayment of Calls or otherwise, as if it had been Part of the original Capital, except as to the Times of making Calls for such additional Capital, and the Amount of such Calls, which respectively shall be as herein-after provided.

Allotment
of Shares.

XX. That such new Shares shall be apportioned among the several Persons who at the Time of the Creation of such new Shares shall be the Proprietors of existing Shares in the Company, in proportion to the existing Shares held by them respectively; and such new Shares shall be offered to the then Shareholders in the Proportion aforesaid, and such Offer shall be made by Letter under the Hand of the Secretary of the Company given to or sent by Post addressed to each Shareholder according to his Address in the Shareholders Address Book, or left at his usual or last Place of Abode.

Shares to
vest in the
Parties ac-
cepting,
otherwise to
be disposed
of by the
Company.

XXI. That the said new Shares shall vest in and belong to the Shareholders who shall accept the same, and pay the Value thereof to the Company, at the Time and by the Instalments which shall be fixed by the Company; and if any Shareholder fail for One Month after such Offer of new Shares to accept the same, and pay the Instalments called for in respect thereof, it shall be lawful for the Company to dispose of such Shares in such Manner as they shall think proper.

Directors
may permit
Shareholders
to take new
Shares after
Time speci-
fied, in case
of their Ab-
sence abroad,
&c.

XXII. Provided always, That it shall be lawful for the Directors, in case they shall think proper so to do, but not otherwise, to permit any Shareholder who, from Absence abroad, or from any other Cause satisfactory to the Directors, may have omitted or neglected (within the Time limited by this Act) to signify his Acceptance of the new Shares which have been offered to him or to which he may be entitled by virtue of this Act, to accept such Shares, and to pay for each such Share the Sum which shall have been demanded from him in respect thereof, notwithstanding the Time limited by this Act for such Acceptance or for the Payment of such Sum may have expired.

Calls.

XXIII. That Two Pounds and Ten Shillings *per* Share shall be the greatest Amount of any One Call which may be made on the Shareholders in respect of the said new Shares, and Three Months at the least shall be the Interval between successive Calls.

Interest or
Dividends
not to be
paid on Calls.

XXIV. That it shall not be lawful for the Company, out of any Monies by this Act authorized to be raised by Calls in respect of Shares by this Act authorized to be issued, or by the Exercise of any Power of borrowing, to pay Interest or Dividends to any Shareholder on the Amount of 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 contained shall be deemed to prevent the Com-
pany

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pany from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made, as shall be in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

XXV. That it shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, 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 any Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Deposits for future Bills not to be paid out of Company's Capital.

XXVI. That it shall be lawful for the Company to borrow on Mortgage or Bond any Sum or Sums in addition to the Sums which by the recited Act they are authorized to borrow, not exceeding Thirty-three thousand three hundred Pounds, but no Part of such Sum shall be borrowed until the whole of the Capital in Shares by this and the recited Act authorized to be raised shall have been subscribed for, and One Half thereof shall have been actually paid up, and the whole of the Money so borrowed shall be applied to the Purposes of this Act or of the said recited Act; and the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Conversion of borrowed Money into Capital, shall be incorporated with this Act, and apply to the Money hereby authorized to be borrowed.

Power to borrow on Mortgage.

XXVII. 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 Railways*; 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 Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for consti-*

Railways and Company to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

The Leeds, Bradford, and Halifax Junction Railway Act, 1853.

tuting Commissioners of Railways: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways hereby authorized, or the said Company in respect thereof, from the Provisions of the same several Acts respectively, but that such Provisions shall be in force with reference to the same Railways and Company in respect thereof, so far as the same are applicable.

Railways
not exempt
from Pro-
visions of
future Gene-
ral Acts.

XXVIII. That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Act authorized to be made, or the said Company, from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by the said recited Acts or this Act.

Expenses of
Act.

XXIX. That all the Costs, Charges, and Expenses of and incident to the obtaining of this Act, and preparatory thereto, shall be paid by the Company.

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