



ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

Cap. xvi.

An Act for authorizing the Construction of a Railway from *Stockport* to *Woodley* in the County of *Chester*; and for other Purposes.

[15th May 1860.]

WHEREAS it is expedient that a Railway should be constructed from *Stockport* to *Woodley*, all in the County of *Chester*: And whereas it is expedient that a Company should be incorporated for that Purpose: And whereas the proposed Railway will communicate with the Railway of the *Manchester, Sheffield, and Lincolnshire* Railway Company (in this Act called "the *Sheffield* Company"), and might be conveniently worked in connexion with their Undertaking, and it is expedient that Contracts for that Purpose between that Company and the Company so intended to be incorporated should be authorized, and that the *Sheffield* Company should be empowered to contribute Funds towards and become Shareholders in the Undertaking, and to guarantee Dividend or Interest on Part of the Capital to be raised by virtue of this Act: And whereas the Purposes of this Act 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,)

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I. In

The Stockport and Woodley Junction Railway Act, 1860.

Short Title.

I. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*The Stockport and Woodley Junction Railway Act, 1860.*"

8 & 9 Vict.
cc. 16. 18.
& 20. incor-
porated.

II. "*The Companies Clauses Consolidation Act, 1845,*" "*The Lands Clauses Consolidation Act, 1845,*" and "*The Railways Clauses Consolidation Act, 1845,*" shall be incorporated with and form Part of this Act.

Same Mean-
ings to
Words in
incorporated
Acts as in
this Act.

III. The several Words and Expressions to which in the Acts incorporated wholly or partially with this Act Meanings are assigned shall have in this Act the same respective Meanings, unless excluded by the Subject or Context.

Subscribers
incorpo-
rated.

IV. All Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway herein-after described, and for other the Purposes of this Act and the said incorporated Acts, and for those Purposes shall be incorporated by the Name of "*The Stockport and Woodley Junction Railway Company*" (herein-after called "*the Company*"), and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said incorporated Acts contained.

Capital.

V. The Capital of the Company shall be Sixty thousand Pounds, and the Money so to be raised shall be applied only in carrying into execution the Objects and Purposes of this Act.

Number and
Amount of
Shares.

VI. The Number of Shares into which the said Capital shall be divided shall be Six thousand Shares, and the Amount of each Share shall be Ten Pounds.

Calls.

VII. Three Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and the aggregate Amount of the Calls to be made upon any Share in the course of One Year shall not exceed Three Fourths of the Amount of such Share.

Power to
borrow on
Mortgage.

VIII. The Company may borrow on Mortgage any Sums not exceeding in the whole the Sum of Twenty thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital of Sixty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up, and the Company shall have proved to
the

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the Justice who is to certify, under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all the Capital which the Company are by this Act authorized to raise by the Creation of Shares has been subscribed for *bonâ fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable; and the Moneys so to be borrowed on Mortgage or Bond shall be applied only in carrying into execution the Objects and Purposes of this Act.

IX. The Mortgagees of the Company may enforce Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver, and the Amount necessary to authorize the Appointment of a Receiver shall not be less than Two thousand Pounds in the whole. Arrears may be enforced by Appointment of a Receiver.

X. The Company shall not, out of any Moneys by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend 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 in this Act contained shall be deemed to prevent the 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. Interest not to be paid on Calls paid up.

XI. The Company shall not, out of any Money by this Act authorized to be raised for the Purposes of such Act, 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.

XII. Subject to the Provisions herein-after contained for reducing the Number of Directors, the Number of Directors shall be Eight, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking. Number and Qualification of Directors.

XIII. The Company from Time to Time may reduce the Number of Directors, provided that the reduced Number be not less than Six. Power to reduce the Number of Directors.

XIV. *John Chapman, James Marshall, George Wilkinson, Samuel Lees, Thomas Thornely, George Bramall, John Baker, and James Smith* shall be the First Directors of the Company. First Directors.

XV. The

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Election of
Directors
at First
Ordinary
Meeting.

XV. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act or any Number of them, or may elect a new Body of Directors, or so many Directors as may be required to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Subsequent
Election of
Directors.

XVI. At the First Ordinary Meeting to be held in the Year next after the Year in which the last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at such Meeting, being neither removed, nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by the last-mentioned Act.

Quorum.

XVII. The Quorum of a Meeting of Directors shall be Three.

Power to
make
Railway ac-
cording to
deposited
Plans.

XVIII. And whereas Plans showing the Lands which the Company are by this Act authorized to purchase, and showing the Line of the proposed Railway, and Sections showing the Levels of the Railway, and also a Book of Reference to those Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands which under this Act may be taken by the Company, have been deposited with the Clerk of the Peace for the County of *Chester*: Therefore, subject to the Provisions and Powers of Deviation in this Act and the Acts incorporated herewith contained, and to the Provisions herein-after in this Section mentioned, the Company may enter upon, take, and use all or any of the Lands defined in the deposited Plans and described in the deposited Books of Reference, and may make, in the Line and according to the Levels shown on the deposited Plans and Sections, and in and upon the Lands delineated on the said Plans and described in the said Book of Reference, the Railway by this Act authorized: Provided always, that the Bridge to be made by the Company for carrying the Turnpike Road over the Railway by this Act authorized near the *Travellers Call* in the Township of *Bredbury* shall be of such a Width as to allow the same Turnpike Road to be of the same Width as it now is, and that the proposed Inclination of 1 in 41, as shown by Cross Section No. 1 in the Plans which have been deposited as aforesaid, shall be altered so as to make the Inclination of the said Turnpike Road not to exceed the Inclination of 1 in 60.

XIX. The

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XIX. The Railway by this Act authorized to be made and maintained	Description of Line.
is as follows ; (that is to say,)	

A Railway, with all proper Stations, Works, and Conveniences connected therewith, commencing in the Township of *Brinnington* in the Parish of *Stockport* in the County of *Chester*, and terminating in the Township of *Bredbury* in the Parish of *Stockport* aforesaid by a Junction with the authorized *Newton and Compstall* Line of the *Manchester, Sheffield, and Lincolnshire* Railway Company.

XX. The Company from Time to Time, in addition to the other Lands which they are by this Act authorized to purchase, may by Agreement purchase any Quantity of Land not exceeding Five Acres adjoining or near to their Railway, for any of the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845."

XXI. The Powers of the Company for the compulsory Purchase of Powers for Land for the Purposes of this Act shall not be exercised after the compulsory Purposes Expiration of Two Years from the passing of this Act. limited.

XXII. The Railway shall be completed within Three Years from the Period for passing of this Act, and on the Expiration of that Period the Powers by this Act or the Acts incorporated herewith granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

XXIII. Every Communication between the Railway hereby authorized and the Railway of the *Sheffield* Company shall be effected in a substantial and workmanlike Manner, by means of Connexion Rails and Points of the Construction and laid in the Manner most approved from Time to Time, and to the reasonable Satisfaction of the Engineer for the Time being of that Company.

XXIV. The Expense of every Communication hereby authorized with the Railway of the *Sheffield* Company, and of all necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, amending, repairing, and maintaining such Rails and Points, and of watching, regulating, and adjusting the same, and the Passage of the Traffic there, shall be borne and paid by the Company; and all such Communications, Openings, and other Works shall not only be in the first instance made and done, but also shall from Time to Time be altered, amended, repaired, and maintained, to the reasonable Satisfaction of the Engineer for the Time being of the *Sheffield* Company on each Occasion, and in such Manner and Form, and by such Ways and Means as shall not in any way prejudice or injure the *Sheffield* Company, or (except in so far, if at all, as may be unavoidably necessary

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for effecting the Communication hereby authorized,) impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along their Railway.

Signals, &c.
to be erected
and main-
tained, and
Persons to be
appointed
to prevent
Danger at
Points of
Junction.

XXV. The *Sheffield* Company may from Time to Time erect, maintain, and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, and other Servants as that Company may deem necessary for the Prevention of Damage to, or Detention of, or Interference with Traffic at or near the Junction between their Railway and the Railway hereby authorized; and the Working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, and other Servants, shall belong exclusively to the *Sheffield* Company; and all the Costs and Expenses during each Half Year of erecting and maintaining and altering such Signals, Works, and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall, at the Expiration of each Half Year, be repaid by the Company to the *Sheffield* Company, on Demand, and in default the Amount may be recovered from the Company in any Court of competent Jurisdiction.

Settlement
of Diffe-
rences.

XXVI. If any Differences shall arise between the Company and the *Sheffield* Company, or their respective Engineers for the Time being, with respect to the Point at which any such Communication, Openings, and other Works, or any of them, are to be constructed, or the Mode of constructing the same, or with respect to any Alteration, Amendment, Repairs, or Maintenance thereof, or the Watching, Regulation, or Adjustment thereof, or the Passage or Regulation of the Traffic there, or if any other Difference shall arise between the said Engineers or the said Companies with respect to the Expenses payable by the Company under the foregoing Provisions, or with respect to any other Matter in any way relating to or consequent upon the Construction or Use of any such Communication, Openings, and other Works, the Matters in difference shall from Time to Time be decided by Arbitration.

Not to inter-
fere with
Works, &c.
of *Sheffield*
Company
without
Consent.

XXVII. Notwithstanding anything in this Act contained, it shall not be lawful for the Company or for any other Company, or any Persons acting under or in execution of this Act, except only for the Purpose of constructing the Railway and effecting the Communications by this Act authorized, either permanently or temporarily, to enter upon, take, or use any of the Lands or Property of the *Sheffield* Company, or in any Manner to alter, vary, or interfere with their Railway or any of the Works appertaining thereto, without the Consent of that Company under their Common Seal.

Saving
Rights of

XXVIII. Except as in this Act otherwise expressed, nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights,

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Rights, Privileges, Powers, or Authorities of or vested in or belonging to the *Sheffield* Company, but all their Rights, Privileges, Powers, and Authorities are hereby expressly saved and reserved. Sheffield Company.

XXIX. And whereas pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter 20, a Sum of Four thousand seven hundred and eighty-eight Pounds, being Eight Pounds *per Centum* upon the Amount of the Estimate of the Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum of Four thousand seven hundred and eighty-eight Pounds so deposited 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 by which the Payment of the said Sum was directed to be made, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railway hereby authorized to be made, either open the Railway 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 Railway 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 or transferred 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 Four thousand seven hundred and eighty-eight 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 Four thousand seven hundred and eighty-eight Pounds, if the Company shall not within
the

Provision as
to Money
deposited.

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the Time limited for the Completion of the Railway either open the said Railway 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 (of which Fact a Certificate under the Hand of the said Solicitor shall be sufficient Evidence), or if, previously to the Expiration of the Period aforesaid, the Company shall either have opened the said Railway for the public Conveyance of Passengers, or shall have given such Proof as aforesaid (of which last-mentioned Fact a Certificate under the Hand of One of the Secretaries for the Time being of the Lords of the said Committee shall be sufficient Evidence), then and in either of the three Cases aforesaid such Sum of Money, and the Interest or Dividends thereof, shall be paid or transferred 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, or the Executors or Administrators of such Survivor; and it shall not be necessary for that Purpose to produce any Certificate of this Act having passed, anything in the recited Act to the contrary notwithstanding; and the Moneys 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 the Act if such Bond had not been executed and deposited as aforesaid.

Tolls.

XXX. The Company may demand and take for the Use of the Railway any Tolls not exceeding the following; (that is to say,)

With respect to the Conveyance of Goods:

Class 1. For all Lime, Limestone, Salt, Dung, Compost, and all Sorts of Manure, and all undressed Materials for the Repair of Highways, Coals, Slack, Cannel, Coke, Culm, and Cinders, *per Ton per Mile* One Penny:

Class 2. For all Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, Sand, Chalk, Marl, Iron, Ironstone and Iron Ore, Copper, Tin, Lead and other Ores, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, Sheet Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* One Penny Halfpenny:

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Manchester Packs, Earthenware, Timber, Staves and Deals, Metals (except Iron), Tinned Plates, Nails, Anvils, Vices, and Chains, *per Ton per Mile* Twopence:

Class 4. For all Cotton and all other Wools, Drugs, manufactured Goods,

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Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* Threepence :

With respect to the Conveyance of Carriages :

Class 5. For every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform not belonging to the Company, if having more than Two Wheels, *per Mile* Fourpence ; and if having only Two Wheels, *per Mile* Threepence ; and for every additional Quarter of a Ton up to Four Tons which any such Carriage weighs, One Penny *per Mile* in addition, if such Carriage have more than Two Wheels, and Three Farthings *per Mile* in addition if the same have only Two Wheels :

With respect to the Conveyance of Passengers :

Class 6. For every Person conveyed in a First-class Carriage, *per Mile* Twopence : Tolls for
Passengers
and Animals,

Class 7. For every Person conveyed in a Second-class Carriage, *per Mile* One Penny Halfpenny :

Class 8. For every Person conveyed in a Third-class Carriage, *per Mile* One Penny :

With respect to the Conveyance of Animals :

Class 9. For every Horse, Mule, Ass, or other Beast of Draught or Burden conveyed in or upon any Carriage, *per Mile* Twopence :

Class 10. For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any Carriage, *per Head per Mile* One Penny Halfpenny :

Class 11. For every Calf, Pig, Sheep, or Lamb, or other small Animal conveyed in or upon any Carriage, *per Mile* One Halfpenny.

XXXI. For Carriages, Trucks, and Platforms supplied by the Company the Company may (in addition to the other Tolls by this Act authorized) demand and take, for or in respect of Goods, Articles, Matters or Things, Persons or Animals, comprised in either of the Classes herein-before specified, any Tolls not exceeding the Tolls next herein-after mentioned in connexion with the Class in which such Goods, Articles, Matters or Things, Persons or Animals, are respectively comprised ; (to wit,) Tolls for
Carriages,
&c.

For Class 1., *per Ton per Mile* One Halfpenny :

For Class 2., *per Ton per Mile* One Halfpenny :

For Class 3., *per Ton per Mile* Three Farthings :

For Class 4., *per Ton per Mile* One Penny :

For Class 5., for each Carriage *per Mile* Twopence :

For Class 6., for each Person *per Mile* One Penny :

For Class 7., for each Person *per Mile* Three Farthings :

For Class 8., for each Person *per Mile* One Halfpenny :

For Class 9., for each Animal *per Mile* One Penny :

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For Class 10., for each Animal *per* Mile One Penny :

For Class 11., for each Animal *per* Mile One Halfpenny.

Tolls for
propelling
Power.

XXXII. With respect to locomotive Engines and other moving Power supplied by the Company, the Company may demand and take, in addition to the other Tolls to this Act authorized, any Tolls not exceeding the following ; (to wit,)

For every Passenger or Animal, One Penny *per* Mile :

For all Goods whatsoever, One Penny *per* Ton *per* Mile.

Maximum
Charges for
Goods and
Animals.

XXXIII. The maximum Rate of Charge to be made by the Company for the Conveyance of Goods and Animals, including the Tolls for the Use of the Railway, and of Carriages when provided by the Company, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed for the several Articles and Animals comprised in the Classes before specified the following Sums ; (that is to say,)

Class 1. One Penny Farthing *per* Ton *per* Mile :

Class 2. One Penny Three Farthings *per* Ton *per* Mile :

Class 3. Twopence Halfpenny *per* Ton *per* Mile :

Class 4. For Cotton and other Wools, Drugs, and manufactured Goods, and for all other Articles, Matters, and Things, Threepence *per* Ton *per* Mile :

Class 5. If having more than Two Wheels, and not weighing more than One Ton and a Half, Fivepence, and if having only Two Wheels, Fourpence *per* Mile :

Class 9. For each Animal, Fivepence *per* Mile :

Class 10. For each Animal, Twopence *per* Mile :

Class 11. For every Calf or Pig, One Penny *per* Mile, and for every other small Animal Three Farthings *per* Mile :

Tolls for
separate
Waggons.

Provided also, that where a separate Waggon or Truck shall be retained by One Person for the Conveyance only of Cattle or Sheep belonging to him or under his Charge, the aggregate of the Tolls to be paid for such Waggon or Truck capable of containing Six Oxen or Twenty-five Sheep shall not exceed Ninepence *per* Mile.

Maximum
Charges for
Passengers.

XXXIV. The maximum Rate of Charges to be made by the Company for the Conveyance of Passengers, including the Tolls for the Use of the Railway, and of Carriages and for locomotive Power, and every other Expense incidental to such Conveyance (except Government Duty), shall not exceed the following Sums ; (that is to say,)

For every Passenger conveyed in a First-class Carriage, Threepence *per* Mile :

For every Passenger conveyed in a Second-class Carriage, Twopence *per* Mile :

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For every Passenger conveyed in a Third-class Carriage, One Penny Halfpenny *per* Mile.

XXXV. The Restriction as to the Rate of Charges for Passengers shall not extend to any Special Train required to be run upon the Railway (in respect of which the Company may take such Tolls and Charges as may be agreed upon between them and the Person requiring the same), but shall apply only to the Express and Ordinary Trains appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Restriction
as to Rates
not to apply
to Special
Trains.

XXXVI. The following Provisions as to Tolls shall be applicable to the fixing of the several Tolls and Rates of Charges by this Act authorized; (that is to say,)

Regulations
as to Tolls.

For all Passengers passing over the Railway for a less Distance than Three Miles the Company may demand Tolls as for Three Miles :

For all Goods and Animals passing over the Railway for a less Distance than Three Miles the Company may demand Tolls as for Three Miles :

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton :

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any greater Quantity :

With respect to all other Goods the Weight shall be determined according to the usual Avoirdupois Weight.

XXXVII. With respect to small Packages and single Articles of great Weight, the Company may, notwithstanding any Limitation of the Tolls and Rates of Charge in this Act contained, demand and take the Tolls following :

Tolls for
small Parcels
and single
Articles
of great
Weight.

For the Carriage on the Railway of the Company or any Part thereof of small Parcels not exceeding Five hundred Pounds in Weight, the Company may demand and take any Sum not exceeding the following :

If not exceeding Seven Pounds in Weight, Threepence :

If exceeding Seven and not exceeding Fourteen Pounds in Weight, Fourpence :

If exceeding Fourteen and not exceeding Twenty-eight Pounds in Weight, Sixpence :

If exceeding Twenty-eight and not exceeding Fifty-six Pounds in Weight, Ninepence :

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If exceeding Fifty-six and not exceeding One hundred and twelve Pounds in Weight, One Shilling :

If exceeding One hundred and twelve Pounds and not exceeding Two hundred and twenty-four Pounds in Weight, Two Shillings :

And for Parcels exceeding Two hundred and twenty-four Pounds but not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they think fit :

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Parcels in separate Packages :

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Truck or Platform, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand and take such Sum as they think fit, not exceeding Eightpence *per Ton per Mile* :

For the Carriage of any One Boiler, Cylinder, or single Piece of Timber, Stone, Machinery, or other single Article, the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand and take such Sum as they think fit.

Passengers
Luggage.

XXXVIII. Any Passenger travelling upon the Railway of the Company may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Power to
charge extra
for Animals
or Goods by
Agreement.

XXXIX. The Company may, notwithstanding anything in this Act contained, take by Agreement with the Owner or Person in charge of any Goods or Animals for the Conveyance thereof (other than small Parcels) by Passenger Trains, or for any other special Service performed by the Company in relation thereto, any increased Charges above the Charges by this Act limited or authorized with respect to such Goods and Animals respectively.

Tolls and
Charges to
be calculated
continu-
ously when
Line worked
by Sheffield
Company.

XL. If and so long as the Railway shall be worked by the *Sheffield* Company, in calculating Distances for the Purposes of the Tolls and Charges to be taken upon or in respect of the Railway, where the Traffic shall pass partly on the Railway and partly on the Railways of the *Sheffield* Company, the Railway and the Railways of the *Sheffield* Company shall be deemed One continuous Line of Railway.

As to Work-
ing Arrange-
ments

XLI. The Company and the *Sheffield* Company may from Time to Time enter into and carry into effect any Contracts or Arrangements with

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with respect to the following Purposes or any of them; (that is to say,) between
Company
and Sheffield
Company.

The Use and Working by the *Sheffield* Company of all or any Part of the Railway, and the Use of the Works and Conveniences belonging thereto :

The Supply of any Rolling or Working Stock required for any such Purpose :

The Management, Maintenance, and Repair of the Railway :

The Costs and Expenses of such Use, Working, Management, Maintenance, and Repair, and of effecting the other Objects of the Contract :

The Conveyance by the *Sheffield* Company of the whole or any Part of the Traffic upon the Railway :

The Collection, Delivery, Regulation, and general Conduct of such Traffic :

The Fixing, Collection, Application, Division, and Apportionment between the said Companies of the Tolls arising from such Traffic respectively, subject to any Deductions to be made therefrom, and the Payment or Deduction of any periodical Remuneration or other Considerations to be paid by either of the said Companies to the other of them by virtue of such Contract.

XLII. Any Contract or Agreement which under the Authority of this Act may be entered into between the Company and the *Sheffield* Company shall be and continue for such a Term or Period as shall be mutually agreed upon between the Companies ; but no such Contract or Agreement shall have any Operation until the same shall have been approved by the Board of Trade ; and no such Contract or Agreement shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the Companies or either of them shall for the Time being be respectively authorized or entitled to demand and receive from any other Company or Person ; but all other Persons and Companies shall, notwithstanding any such Contract or Agreement, be entitled to the Use and Benefit of the Railway or Part thereof to which the Contract or Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Contract or Agreement had been entered into : Provided always, that the said Board shall not approve such Contract or Agreement without being satisfied that the same has been duly assented to by the Shareholders of the respective Companies in Special Meeting assembled for that Purpose, as by this Act required : Provided also, that the Board of Trade may, if they think fit, on the Expiration of every Ten Years from the Commencement of any such Contract or Agreement, or on the Expiration of every Ten Years from the Period when any Revision thereof shall be made by them, cause the same to be revised ; and the Board of Trade shall have Power to

Duration of
Agreements.

To be ap-
proved by
Board of
Trade.

Not to affect
Persons not
Parties
thereto.

[*Local.*] 3 F modify

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modify the Terms and Conditions of any such Contract in such Manner as the Board may think necessary, and to declare such Modification to be Part of such Contract, and the same shall be read and take effect accordingly.

Contract may be renewed, with the Approval of the Board of Trade.

XLIII. At the Expiration or other sooner Determination of any such Contract the Company and the *Sheffield* Company, with the Consent in Special Meeting of the Shareholders of each of those Companies respectively, and subject to the Approval of the Board of Trade, may enter into a further Contract for all or any of the Purposes aforesaid: Provided that before such Companies shall enter into such further Contract as aforesaid they shall give Notice of their Intention so to do by Advertisement in a Form to be approved of by the Board of Trade, inserted once in each of Two successive Weeks in some Newspaper published or circulating in the County of *Chester*, and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Contract, and desiring to object thereto, may bring such Objections before the Board of Trade, and no such Contract shall be valid at Law or in Equity until the same shall have been approved by the Board of Trade; and provided further, that any such Contract or Agreement during the Subsistence thereof shall, after such Notice as aforesaid, be subject to the Revision of the Board of Trade, and to the Alteration of the same by the said Board, on the Expiration of every Ten Years, as by this Act provided in regard to the First Contract or Agreement between the Companies.

Contract in-operative until approved by Meeting of Shareholders. Meeting, how to be convened.

XLIV. No such Contract shall have any Operation or Effect unless and until the same shall have been approved by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of each Company Party thereto; and every such Meeting shall be convened by Advertisements inserted once in each of Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of each Company shall be situate.

Contracts may be varied or rescinded.

XLV. Any such Contract may be varied or determined by Consent of the Parties thereto, but any such Variation or Determination shall not operate or take effect until approved by such Majority as herein-before mentioned of the Shareholders in each Company, and by the Board of Trade, in the Manner herein provided in the Case of any such further Contract, Notice of such intended Variation being also given previously to such Approval in manner aforesaid.

Appointment of Joint Committee for carrying

XLVI. The Company may by any Contract made under the Powers of this Act appoint a Joint Committee composed of such Number of the respective Directors of the Companies as the Companies may think proper,

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proper, and from Time to Time may alter, vary, and renew any such Committee as Occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the Companies respectively as may be necessary for carrying into effect the Purposes of such Contract; and every such Joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them, in like Manner as the same might have been had and exercised by the Companies respectively for their respective Directors.

Contract
into effect.

XLVII. The *Sheffield* Company may from Time to Time, by and with the Consent of Three Fifths of the Votes of the Proprietors of that Company present, personally or by Proxy, at a Meeting specially convened for the Purpose, guarantee the Payment of and pay Interest or Dividends at and after a Rate not exceeding Four Pounds *per Centum per Annum* on all or any Part of the Moneys to be raised by the Company by virtue of this Act, for such Periods and upon such Conditions as may be mutually agreed upon between the said Companies: Provided always, that such Guarantee shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend granted or assigned by the *Sheffield* Company to any Shares or Stock before the passing of this Act, or confirmed by any Act of Parliament or otherwise lawfully subsisting at the Time of the passing of this Act: Provided also, that if in any Year ending the Thirty-first Day of *December* there shall not be Profits of the *Sheffield* Company available for the Payment of the full Amount of such guaranteed Interest or Dividend as aforesaid for that Year, the Deficiency shall not be made good out of the Profits of any subsequent Year or out of any other Funds of that Company.

Power for
Sheffield
Company to
guarantee
Interest, &c.

XLVIII. The *Sheffield* Company (with the Consent of Three Fifths at least of the Votes of the Proprietors of that Company present, personally or by Proxy, at some General Meeting of that Company specially convened for the Purpose of authorizing such Subscription,) may subscribe towards and become Shareholders in the Undertaking of the Company to any Extent not exceeding Forty thousand Pounds, and may pay the Amount of their Subscription, and the Calls upon their Shares, or such Sums as they respectively may think fit to advance, and as they may legally and according to "The Companies Clauses Consolidation Act, 1845," advance to the Company, in anticipation of Calls, or any Parts of those Amounts respectively, by and out of any Moneys which the *Sheffield* Company have raised or are now authorized to raise by Shares or borrowing, under the Provisions of any Acts relating to that Company, and which may not be required for the Purposes to which they are by those Acts made specially applicable.

Power for
Sheffield
Company to
subscribe
and take
Shares;

XLIX. The *Sheffield* Company, on becoming Shareholders in the Undertaking, or the Directors of that Company, may from Time to Time,

and to
appoint

so

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Persons to
vote.

so long as that Company continue Shareholders in the said Undertaking, under the Powers of this Act, appoint One or more Person or Persons (whether such Person or Persons shall hold Shares in the Company or not) to vote on behalf of the *Sheffield* Company at any Meetings of the Company, and may from Time to Time revoke any such Appointment, and appoint any other Person or Persons in that Behalf, and the Person or Persons so for the Time being appointed shall during his or their Appointment have the same Right of voting at any such Meeting as he or they would have if he or they held in his or their own Right the Shares in the said Undertaking for the Time being held under the Powers of this Act by the *Sheffield* Company, in addition to any Right of voting to which he or they may be entitled in respect of any Shares actually held by him or them in his or their own Right.

Instruments
of Appoint-
ment, &c.

L. Every such Appointment and Revocation of a Person to vote shall be in Writing under the Seal of the *Sheffield* Company, or under the Hand of the Chairman of the Directors of that Company.

Railway not
exempt from
Provisions of
present and
future
General
Acts.

LI. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made, or the Company, from the Provisions 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, and of the Rates for small Parcels, authorized by this Act.

Expenses of
Act.

LII. All the Costs, Charges, and Expenses of and incidental to the obtaining of this Act, and preparatory thereto, shall be paid by the Company.

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