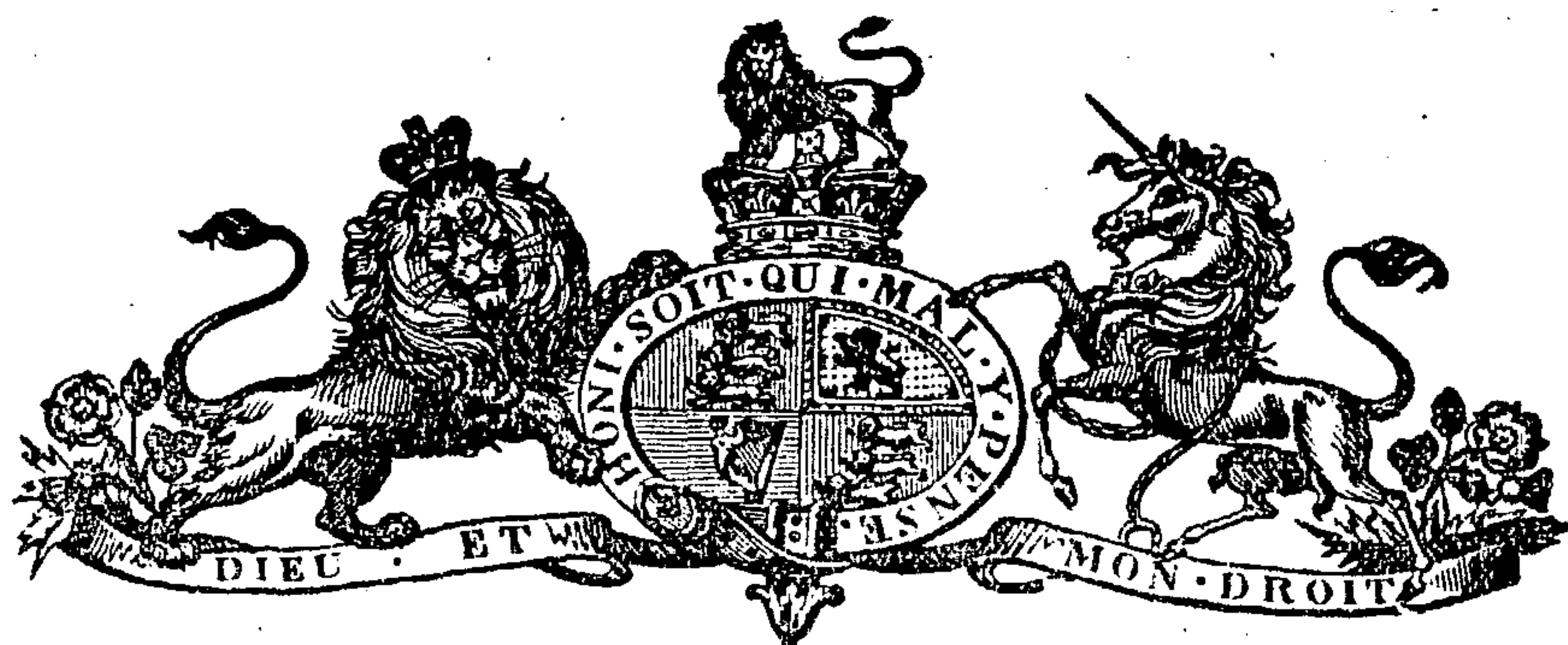




ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cccviii.

An Act to authorize the Construction of several Railways and a Canal, chiefly in the Parishes of *Wolstanton* and *Audley*, by the *North Staffordshire* Railway Company, and to confer other Powers upon such Company and various other Companies and the Duke of *Bridgewater's* Trustees. [29th July 1864.]

WHEREAS the following Acts relate to the *North Staffordshire* Company and their Undertaking; (that is to say,) Ninth and Tenth of *Victoria*, Chapter Eighty-five; Tenth and Eleventh of *Victoria*, Chapter One hundred and eight; Eleventh and Twelfth of *Victoria*, Chapters Sixty-six and Eighty-three; Thirteenth and Fourteenth of *Victoria*, Chapter Fifty-five; Seventeenth and Eighteenth of *Victoria*, Chapter One hundred and ninety-four; Twenty-second and Twenty-third of *Victoria*, Chapter One hundred and twenty-six; Twenty-third of *Victoria*, Chapter Forty-two; Twenty-sixth and Twenty-seventh of *Victoria*, Chapter One hundred and fifty-eight; and First of *William* the Fourth, Chapter Fifty-five: And whereas a Railway from the *Silverdale* and *Newcastle* [Local.]

Recital of Acts relating to North Staffordshire Railway Company.

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castle Railway in the Parish of *Wolstanton* in the County of *Stafford* to the *Crewe* Branch of the *North Staffordshire* Railway, in the Parish of *Barthomley* in the County of *Chester*, and a Railway from an intended Railway from the *Silverdale and Newcastle* Railway to the Highway leading from *Whitmore* to *Madeley* to the first-mentioned intended Railway in the Parish of *Madeley*, and a Railway in the Parish of *Audley* from the first-mentioned intended Railway to the Highway leading from *Audley* to *Bignall Hill*, and a Railway from the first-mentioned intended Railway in the Parish of *Audley* to the Branch of the *Silverdale and Newcastle* Railway called Branch Railway No. 1 in the said Act, Twenty-four and Twenty-five *Victoria*, Chapter Seventy-one; a Railway in the Parish of *Wolstanton* from another Branch of the *Silverdale and Newcastle* Railway to the Highway leading from *Chesterton* to *Audley*, and a Railway from the Pottery Line in the same Parish to the *Waterloo Road* in the Parish of *Burslem*; a Cut or navigable Canal in the Parish of *Wolstanton*, leading out of the Navigation from the *Trent* to the *Mersey*, belonging to the *North Staffordshire* Railway Company, and certain Enlargements or Improvements of that Navigation between the Junction therewith of the *Bridgewater* Canal at *Preston Brook*, in the Parish of *Runcorn* in the County of *Chester*, to a Point in the Parish of *Sandbach* in the same County, near where the said Navigation is crossed by the *Sandbach* Branch of the *North Staffordshire* Railway, would be of public Advantage, and the *North Staffordshire* Railway Company (herein-after called "the Company") are willing to make such Railways and Canal, and also should it be found expedient the said Enlargements and Improvements if authorized by Parliament so to do: And whereas the Trustees of the late Duke of *Bridgewater* (herein-after called the *Bridgewater* Trustees) are interested as Owners of the said *Bridgewater* Canal, in the said proposed Improvements or Enlargements of the Navigation from the *Trent* to the *Mersey*, and it is expedient that they should be authorized to subscribe towards the Cost of such Improvements, and to hold Shares or Stock in the Company in respect of such Subscription, and to raise Money by Mortgage of their own Undertaking, for the Purposes of such Subscription: And whereas *Ralph Sneyd* Esquire, of *Keele Hall* in the Parish of *Keele* in the County of *Stafford* is or claims to be the Owner of a certain Undertaking in this Act called "*Sneyd's Railways*," consisting of a Railway in the said Parish of *Wolstanton* (whereof the Eastern End joins the *North Staffordshire* Railway), and certain unfinished Extensions thereof in the same Parish, and in the Parish of *Audley*, respectively mentioned or referred to as Branch Railway No. 1, and Branch Railway No. 2, in Mr. *Sneyd's* Railway Act, 1861; and it is expedient that the Company should be authorized to purchase or take a Lease of the said Undertaking, and also of a Railway in the said Parishes of *Wolstanton* and *Audley* from the said

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said Branch Railway No. 2, to the Works of the *North Staffordshire Coal and Iron Company Limited* and constructed by that Company : And whereas the Objects 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

1. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," Part I. of "The Railways Clauses Act, 1863," relating to Construction of a Railway, and the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the several Matters following, that is to say, the Distribution of the Capital of the Company into Shares, the Transfer or Transmission of Shares, the Payment of Subscriptions, and the Means of enforcing the Payment of Calls, the Forfeiture of Shares for the Nonpayment of Calls, the Remedies of the Creditors of the Company against the Shareholders, the borrowing of Money by the Company on Mortgage or Bond, Conversion of the borrowed Money into Capital, the Consolidation of the Shares into Stock, and the Provision for affording Access to the Special Act, also Parts I., II., and III. of "The Companies Clauses Act, 1863," relating respectively to Cancellation and Surrender of Shares, to additional Capital, and to Debenture Stock, are hereby incorporated with this Act.

8 & 9 Vict.
cc. 16. 18. &
20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 92 & 118.
incorporated.

2. In construing the incorporated Acts for the Purposes of this Act and in construing this Act the Words and Expressions herein mentioned or referred to shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction ; (that is to say,)

Interpreta-
tion of
Terms.

The Expression "the Special Act" shall mean this Act ;

The Expression "the Company" or "the Promoters of the Undertaking" shall mean the *North Staffordshire Railway Company* ;

The Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute ;

Other Expressions and Words to which in the incorporated Acts Meanings are assigned shall respectively have the same Meanings in this Act.

3. The Company may make and maintain the following Railways, Canal, and Enlargements or Improvements of Navigation, with all proper Power to make Works.

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proper Stations, Wharves, Approaches, Works, and Conveniences connected therewith respectively; (that is to say,)

1. A Railway (herein-after called "Railway No. 1") commencing in the Parish of *Wolstanton* in the County of *Stafford* by a Junction with the *Silverdale and Newcastle* Railway, and terminating in the Parish of *Barthomley* in the County of *Chester* by a Junction with the *Crewe* Branch of the *North Staffordshire* Railway:
2. A Railway (herein-after called "Railway No. 2") commencing in the Parish of *Keele* in the County of *Stafford*, by a Junction with an intended Railway from the *Silverdale and Newcastle* Railway to the Highway leading from *Whitmore* to *Madeley* and terminating in the Parish of *Madeley* in the same County, by a Junction with Railway No. 1:
3. A Railway (herein-after called "Railway No. 3") commencing by a Junction with Railway No. 1 in the Parish of *Audley* in the County of *Stafford* and terminating at or near the Highway leading from *Audley* to *Bignall Hill*:
4. A Railway (herein-after called "Railway No. 4") commencing in the said Parish of *Audley* by a Junction with Railway No. 1 and terminating in the same Parish by a Junction with the Railway referred to as Railway No. 1 in the Act Twenty-four and Twenty-five *Victoria*, Chapter Seventy-one:
5. A Railway (herein-after called "Railway No. 5") commencing in the Parish of *Wolstanton* by a Junction with the Railway referred to in the last-mentioned Act as the Railway which at the Eastern End thereof forms a Junction with the *North Staffordshire* Railway and terminating in the same Parish on the Western Side of the Highway leading from *Chesterton* to *Audley*:
7. A Railway (herein-after called "Railway No. 7") commencing in the said Parish of *Wolstanton* by a Junction with the said *Pottery* Line and terminating in the Parish of *Burslem* in the County of *Stafford* on the South Side of *Waterloo Road* near the Boundary between the Townships of *Burslem* and *Rushton Grange*:
8. A short Canal or navigable Cut in the said Parish of *Wolstanton*, leading out of the Navigation from the *Trent* to the *Mersey*:
9. Enlargements and Improvements of the Navigation from the *Trent* to the *Mersey*, between its Junction at *Preston Brook* in the Parish of *Runcorn* in the County of *Chester* with the *Bridgewater Canal*, and terminating in the Parish of *Sandbach* in the last-mentioned County, at or near the Point where such Navigation is crossed by the *Sandbach* Branch of the *North Staffordshire* Railway, or such of the said Enlargements and Improvements, or such Parts thereof only as the Company may find expedient.

4. The

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4. The Railways, Canal, Improvements, and Works by this Act authorized shall form Part of the Undertaking of the Company.

Railways, &c., to form Part of Undertaking.

5. And whereas Plans and Sections of the proposed Railways, Canal, and Enlargements respectively, showing the Lines and Levels thereof respectively, and the Lands required for the Purposes of the Undertaking, and also Books of Reference to such Plans, have been deposited with the Clerks of the Peace of the Counties of *Stafford* and *Chester* respectively: Therefore, subject to the Provisions and Powers of Deviation in this Act and the Acts incorporated therewith contained, the said Railways and Canal, and the said Enlargements (if any) shall be made in the Line or within the Limits of Deviation and upon the Lands delineated on the said Plans and described in the said Books of Reference and according to the Levels defined on the said Sections, and it shall be lawful for the Company to enter upon, take, and use all or any of the said Lands which they may require for the Purposes thereof, or for the other Purposes of the Undertaking.

Railways to be made according to deposited Plans.

6. In carrying the following Roads over, under, or across the Railway, the Company may alter the Levels of such Roads, but so as not to exceed the respective Rates of Inclination herein-after specified; (that is to say,)

Power to alter certain Levels of Roads.

Railway.	Description of Road.	Number on Plan.	Name of Parish.	Rate of Inclination allowed.
Railway No. 1.	Public Highway -	33	Keele -	1 in 10.
"	Public Highway -	76	Audley -	1 in 14.
"	Public Highway -	232	Audley -	1 in 15 on one Side of the Bridge and level on the other.

7. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained to the contrary, the Company may make the Arches of the Bridges for carrying the Railway over the public Roads numbered as follows on the deposited Plans of the Dimensions herein-after set forth, but not of less Dimensions; (that is to say,)

Power to make certain Arches of Bridges of specified Dimensions.

Railway.	Description of Road.	No. on Plan.	Name of Parish.	Span.	Height.
Railway No. 1.	Public Highway -	2	Madeley -	20 Feet	15 Feet.
"	Public Highway -	58	Audley -	20 Feet	
"	Turnpike Road -	178	Audley -	—	
"	Public Highway -	11	Barthomley -	20 Feet	
Railway No. 2.	Turnpike Road -	6	Keele -	30 Feet	

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Powers for compulsory Purchases limited.

8. 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.

Lands for extraordinary Purposes.

9. The Company may from Time to Time purchase by Agreement such Lands as they may require for any of the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845," in connexion with the Railways by this Act authorized, not exceeding in the whole Three Acres.

Period for Completion of Works.

10. The Railways by this Act authorized shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing the said Railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

If Railways not completed, &c., within a limited Period, Company to be liable to a Penalty.

11. If the Railways by this Act authorized to be constructed shall not be completed and opened for public Traffic within the Period of Four Years from the passing of this Act, then and from thenceforth the Company shall be liable to a Penalty of Fifty Pounds *per* Day, to be recoverable as a Debt due to the Crown for every Day thereafter until the Railways shall be completed and opened for public Traffic, but no Penalty shall accrue in respect of any Time during which it shall appear by a Certificate to be obtained from the Board of Trade that the Company were prevented from completing or opening the Railways or any of them by unforeseen Accident or Circumstances beyond their Control; but the Want of sufficient Funds shall not be held to be a Circumstance beyond the Control of the Company.

Railway Tolls.

12. The Company may demand and take in respect of the Railways by this Act authorized such Tolls and Charges as they think fit, not exceeding the Rates of Toll and Charge authorized to be taken on the *North Staffordshire* Railway, and in estimating the Amount of Toll or Charge in respect of any Traffic conveyed partly on any Railway by this Act authorized and partly on any other Railway of the Company, the Railway by this Act authorized and such other Railway shall be deemed One Railway, as if authorized by "The *North Staffordshire* Railway Act, 1847."

The Canal and Enlargements to be subject as to Repairs, &c.

13. The Canal Enlargements and Improvements of the Navigation from the *Trent* to the *Mersey*, and other Works connected therewith hereby respectively authorized which shall be made under the Authority of this Act, shall at all Times be and remain subject to the same

or

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or the like Provisions and Regulations as to the Repairs, Maintenance, and proper and regular Supply of Water thereto as are provided and set forth in the 24th and 25th Sections of "*The North Staffordshire Railway Act, 1847*," in reference to the *Trent and Mersey* Navigation, and the several Works connected therewith, and then forming a Part of the Undertaking of the Company.

to Regula-
tions in
10 & 11 Vict.
c. cviii.

14. The Company shall not be authorized or entitled to charge or demand in respect of the Canal Enlargements and Improvements hereby authorized, which shall be made under the Authority of this Act, or the Works and Conveniences connected therewith, any other Mileage or other Tolls, Rates, or Charges than the Tolls, Rates, and Charges authorized by the said "*North Staffordshire Railway Act, 1847*," as amended by this Act, or than such Tolls, Rates, or Charges as would have been chargeable thereon or payable in respect thereof, had the Canal Enlargements, Improvements, and Works hereby authorized, which shall be so made as aforesaid, formed Part of the Company's original Canal between *Preston Brook* and *Great Heywood* at the Time of the passing of "*The North Staffordshire Railway Act, 1847*."

Company to
charge in
respect of
Canal and
Enlarge-
ment the
same Tolls,
&c. as in
10 & 11 Vict.
c. cviii.

15. The Canal Enlargements and Improvements hereby authorized, which shall be made under the Authority of this Act, so far as they may unite with the Canal of the Trustees under the Will of the late Duke of *Bridgewater*, shall be executed and completed to the reasonable Satisfaction of the same Trustees, or of their principal Engineer for the Time being, and in the Execution thereof the Company shall not stop up, interrupt, or in anywise impede or prejudice the Canal, Towing-path, or Works of the said Trustees, or the Navigation or Use thereof.

Certain
Works to be
completed to
Satisfaction
of Bridge-
water
Trustees.

16. From and after the passing of this Act it shall not be lawful for the Company to demand, receive, or recover, for or in respect of the Passage or Conveyance along the *Trent and Mersey* Navigation, or any Part thereof, or along any Canal or Part of a Canal belonging to them, of any Goods, Wares, Merchandise, Articles, Matters, or Things, which shall have passed from or shall be intended to pass into that Part of the said *Macclesfield* Canal which belongs to the *Manchester, Sheffield, and Lincolnshire* Railway Company, any higher Rate, Toll, or Charge in the whole than they shall at the Time be authorized to demand or receive and shall actually demand and receive in respect of Goods, Wares, Merchandise, Articles, Matters, and Things of a similar Description passing or conveyed along the same Parts of the *Trent and Mersey* Navigation, and which last-mentioned Goods, Wares, Merchandise, Articles, Matters, and Things

As to Tolls
on Traffic
passing from
or into Mac-
clesfield
Canal.

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Things shall have passed from or be intended to pass into the Duke of Bridgewater's Canal.

Facilities to
such Traffic.

17. Upon Payment of the Tolls and Charges of right demanded by the Company in respect of the Passage or Conveyance along the said *Trent* and *Mersey* Navigation and the said Portion of the *Macclesfield* Canal belonging to them as aforesaid, of any Traffic running from or going to the Portion of the *Macclesfield* Canal belonging to the said *Manchester, Sheffield, and Lincolnshire* Railway Company, all such and the same Facilities and Accommodations shall be afforded by the Company in the Use of the said Navigation and Portion of Canal so belonging to them, for expediting and facilitating the Passage of such Traffic, as they shall at the Time afford to any other Traffic passing along the same Parts of the said Navigation and Portion of Canal as aforesaid.

Canal Tolls
on Earthen-
ware, &c.

18. From and after the First Day of *January* One thousand eight hundred and sixty-five and the First Day of *January* One thousand eight hundred and sixty-eight respectively it shall not be lawful for the Company to charge for the Articles herein-after specified conveyed upon the *Trent* and *Mersey* Navigation any higher Rate of Toll than the respective Rates herein-after set forth, anything in the Acts relating to the said Navigation or the Company contained to the contrary notwithstanding; (that is to say,) from and after the First Day of *January* One thousand eight hundred and sixty-five :

	Rate per Ton per Mile.
Earthenware	One Penny Farthing.
Potters raw Materials	Three Farthings.
Pig Iron	Three Farthings.
Calcined Iron Ore	Five Eighths of a Penny.

And from and after the First Day of *January* One thousand eight hundred and sixty-eight :

	Rate per Ton per Mile.
Earthenware	One Penny.
Potters raw Materials	One Halfpenny.

Provision as
to Terminal
Charges.

19. Besides the Rates *per* Mile which the Company are authorized to charge for the Conveyance of Goods or Minerals on their Railways or Canals, they may charge for such Terminal Services as are performed by them such reasonable Sum only as may be from Time to Time agreed upon between the Company and the Person sending or receiving Goods, Minerals, or other Articles of Traffic, or, failing Agreement, as may be settled by Arbitration under "The Railway Companies Arbitration Act, 1859."

Provision
for Haulage
of Boats

20. Whereas the *Preston Brook*, the *Barnton*, and the *Saltersford*, and One of the *Harecastle* Tunnels, forming Part of the Navigation from

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from the *Trent* to the *Mersey*, are respectively narrow, not admitting of the passing of Two Boats at any One Point, nor the Haulage of Boats therein by Horses, and all Boats have heretofore been propelled through the same by means of the Legs of Persons passing in the same Boats: And whereas such Mode of Propulsion is found to be attended with Delay, Inconvenience, and Danger, which may be avoided by the Use of properly constructed Steam or other Tugs or fixed Machinery; and the Company are willing to supply such Tugs or Machinery for public Use at all proper and reasonable Times by Day and by Night, and under proper Regulations, provided they are authorized to make reasonable Charges for the Use of the same, and Parties are prohibited from resorting to the present Mode of Propulsion: Therefore, it shall be lawful for the Company to provide such Steam or other Tug or fixed Machinery, and to charge for the Haulage of Boats through the *Preston Brook* Tunnel, through the *Barnton* and *Saltersford* Tunnels, and the intermediate Part of the Navigation between such last-mentioned Tunnels, and also through the *Harecastle* Tunnel by means thereof, Sums not exceeding the following; (that is to say,) through certain Tunnels.

	For Haulage through the Preston Brook Tunnel.	For Haulage through the Barnton and Saltersford Tunnel and intermediate Part of the Navigation.	For Haulage through the Harecastle Tunnel.
	s. d.	s. d.	s. d.
For each Boat, either empty or with a Lading not exceeding 5 Tons	0 2	0 2	0 2
For each Boat, not exceeding 7 Feet 3 Inches Beam, with a Lading exceed- ing 5 Tons and not exceeding 22 Tons	0 3	0 3	0 3
For each Boat, not exceeding 7 Feet 3 Inches Beam, with a Lading exceed- ing 22 Tons and not exceeding 30 Tons	0 6	0 6	0 6
For each Boat, not exceeding 7 Feet 3 Inches Beam, with a Lading exceed- ing 30 Tons	0 9	0 9	0 9
For each Boat, exceeding 7 Feet 3 Inches Beam, with a Lading exceeding 5 Tons	1 0	1 0	1 0

And it shall not be lawful for any Person without the Consent of the Company, so long as the Company shall provide such Tugs or fixed Machinery, which shall at all Times as aforesaid be available for the Purpose, to take through the same Tunnels any Boat except by means of Steam Power: Provided always, that it shall not be lawful for the Company to charge any Sum for Haulage where the Company are themselves the Carriers.

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Power to
Company to
raise Capital
by Shares
or Stock.

21. The Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in person or by proxy, at any General Meeting or General Meetings convened with Special Notice of the Purpose, may raise by the Creation of new Ordinary or Preference Shares or Stock in their Undertaking, in addition to any other Sums which they may be authorized to raise by other Acts of Parliament, any further Sums of Money not exceeding in the whole Two hundred and fifty thousand Pounds.

Shares or
Stock to
form Part of
Company's
General
Capital.

22. All Shares or Stock to be created by the Company under the Authority of this Act shall, subject to the Provisions of this Act, form Part of the General Capital of the Company.

Shares not to
issue until
One Fifth
Part paid
up.

23. It shall not be lawful for the Company to issue any Share or Stock to be created under the Powers of this Act, nor shall any such Share or Stock vest in the Person accepting the same unless and until a Sum, not being less than One Fifth Part of the Amount of such Share or Sum of Stock issued, shall have been paid up in respect thereof.

Capital
under several
Acts may be
raised by
Shares or
Stock of One
Class.

24. If by any other Act or Acts passed in the present Session of Parliament, and whether before or after the passing of this Act, the Company be authorized to raise any Capital by new Shares or Stock, then, subject to the Provisions of the other Act or Acts and this Act respectively, the Company, if they think fit, may raise, by the Creation and Issue of Shares or Stock of one and the same Class, all or any Part of the aggregate Capital which they are by the other Act or Acts and this Act respectively authorized to raise by the Creation and Issue of Shares or Stock.

Power to
borrow on
Mortgage.

25. The Company, in addition to any Sums which they are authorized to borrow under other Acts of Parliament, may from Time to Time borrow on Mortgage such Sums as they think fit, not exceeding in the whole Eighty-three thousand three hundred Pounds, but no Part of that Money shall be borrowed until the whole of the said additional Capital of Two hundred and fifty thousand Pounds shall have been subscribed for *bonâ fide* and issued, and One Half of that Amount shall have been actually paid up, nor until the Company shall have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that all the said additional Capital of Two hundred and fifty thousand Pounds has been subscribed for *bonâ fide* and issued, and that not less than One Fifth of the Amount of each Share or Sum of Stock was paid on Issue of the same, and that all such Shares and Sums of Stock

are

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are held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same (of which Proofs having been given the Certificate of such Justice under that Section shall be sufficient Evidence).

26. All Mortgages of the Company granted before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall as regards the Undertaking comprised in and assigned by such Mortgages, have Priority over all Mortgages granted by virtue of this Act.

Priority of
existing
Mortgages.

27. The Company may create and issue Debenture Stock.

Debenture
Stock.

28. All Money raised under the Powers of this Act by the Creation of new Shares or Stock or on Mortgage shall be applied in the first instance to the Purposes by this Act authorized, and, subject thereto, shall be applicable to the Purposes authorized by the other Acts relating to the Company.

Application
of Money
raised under
Act.

29. It shall not be lawful for the Company out of any Money by this Act or any other Acts relating to the Company authorized to be raised by Calls in respect of Shares or by the Exercise of any Power of borrowing, to pay to any Shareholder any Interest or Dividend 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 that nothing herein 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.

30. It shall not be lawful for the Company, out of any Money by this Act or any other Acts relating to the 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 in force for the Time being, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any Railway, or execute any other Work or Undertaking.

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

31. The *Bridgewater* Trustees may contribute out of the Funds of the Trust such Sum as they think fit towards the Navigation, Enlargements, and Improvements by this Act authorized, and may take and hold Shares or Stock in the Capital by this Act authorized to be raised by the Company, not exceeding the Amount of such Subscription.

Bridgewater
Trustees
may sub-
scribe to the
Canal and
take Shares
or Stock
of the
Company.

32. The

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Trustees
may raise
the Amount
of their Sub-
scription by
Mortgage,
but former
Mortgages
to have
Priority.

32. The *Bridgewater* Trustees may raise the Amount of their Subscription or any Part thereof by Mortgage of the Property comprised in their Trust in like Manner and subject to the same Provisions with respect to the Repayment of the Monies borrowed and otherwise, as they are by the Act passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, intituled *An Act to enable the Trustees of the Will of the Most Noble Francis late Duke of Bridgewater to make Conveyances in Fee or Demises for long Terms of Years of his Trust Estates, and more effectually to administer the Trusts of the Will of the said Duke*, authorized to raise Money by Mortgage for the Purposes thereof, but all Mortgages granted by them before the passing of this Act shall, so far as relates to the Property charged by such Mortgages, have Priority over all Mortgages granted by them under the Authority of this Act.

Money raised
by Mortgage
to be deemed
Funds of the
Trust, and
Shares or
Stock to be
held upon
same Trust
as Canals.

33. All Money raised by the *Bridgewater* Trustees by Mortgage under the Powers of this Act shall for the Purposes of this Act be deemed Funds of the Trust, and all Shares or Stock of the Company which such Trustees may take and hold in respect of their Subscription under the Powers of this Act, shall be held by them upon and subject to the same Trusts as the *Bridgewater* Canal, and the Interest and Dividends of such Shares shall be applicable in the same Manner as the Receipts and Profits from the said Canal.

Power to
purchase or
lease
Sneyd's
Railways
and Railway
to North
Staffordshire
Coal and Iron
Company's
Works.

34. The Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in person or by proxy, at any General Meeting or General Meetings of the Company may purchase or accept and take a Lease of the Undertaking in this Act described as *Sneyd's* Railways, and also of the Railway therefrom to the Works of the *North Staffordshire* Coal and Iron Company (Limited), or either of them, upon such Terms and Conditions, and (in the Case of a Lease) for such Term and upon such Rents, Covenants, and Conditions as may be mutually agreed upon between the Company and the said *Ralph Sneyd* or other the Owner for the Time being of the said Undertaking, so far as relates to such Undertaking, and between the Company and the *North Staffordshire* Coal and Iron Company (Limited) or other the Owner for the Time being of the said Railway therefrom to the Works of the last-mentioned Company, so far as relates to the said Railway.

After Pur-
chase, &c.,
Railway to
form Part of
Company's
Undertak-
ing, &c.

35. From and after the Day when the Company shall enter into possession of the said Undertaking or Railway by virtue of such Purchase or Lease, and (in the Case of a Lease) so long as such Lease shall continue, the said Undertaking or Railway shall be deemed Part of the Undertaking of the Company, and the Acts relating to the said Under-

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Undertaking shall apply to the Company in like Manner as but for the passing of this Act they would have applied to the said *Ralph Sneyd*, or other the Parties described as "the Undertakers" in the said Acts, and the Company may have and exercise all or any Powers of the said *Ralph Sneyd*, or which he may grant or confer with respect to the said Undertaking and the Completion thereof.

36. Nothing in this Act contained shall take away, diminish, alter, prejudice, or injuriously affect any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Trustees under the Will of the late Duke of *Bridgewater* under any Act or Acts of Parliament now in force or otherwise. Saving Rights of Bridgewater Trustees.

37. Nothing in this Act contained shall be held or construed to authorize the Company to take any Lands belonging to the Trustees of the River *Weaver* Navigation, or any Lands over which those Trustees have a Right to make a Towing-path, without the Consent of those Trustees, specified in Writing under the Hand of their Clerk, first had and obtained. Company not to take certain Lands without Consent of River Weaver Trustees.

38. If and whenever the Company, in execution of any of the Works by this Act authorized, or in exercise of any of the Powers of this Act, injure or damage the River *Weaver*, or any Part of the Banks or Beds or Towing-paths thereof respectively, or any other of the Works belonging thereto or connected therewith, they shall immediately repair and make good the Injury or Damage, and shall also pay to the Trustees of the said River the full Amount of all Loss or Damage, if any, which they thereby sustain. Company to repair Damage done to the River Weaver.

39. If and whenever by reason of any Default of the Company in performing or observing any of the Provisions of this Act, any Vessel navigating the River *Weaver* cannot pass along the same, or is obstructed in its Passage, the Company shall pay to the Trustees of the said River, as liquidated Damages for such Interference with the Navigation, Two hundred Pounds for every Day the Interference continues, and so in proportion for any Time less than a Day; and if and whenever the Company make default in Payment to the Trustees the Amount of any Expense, Loss, or Damage to be under this Act paid to them by the Company, the Trustees may recover the Amount thereof, with full Costs of Suit, from the Company in any Court of competent Jurisdiction. Penalty in stopping River Weaver Navigation.

40. Nothing in this Act contained shall be deemed or construed to exempt the Railways by this Act authorized to be made from the Provisions of any General Act relating to Railways now in force or which may hereafter pass during this or any future Session of Parliament, Railways not exempt from Provisions of present and

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future
General
Acts.

liament, 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.

41. The Costs and Charges of applying for and obtaining this Act, and incidental thereto, shall be paid by the Company.

Short Title.

42. This Act may for any Purpose be cited as "*The North Staffordshire Railway (New Works) Act, 1864.*"

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