



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. cccxxi.

An Act to authorize the *West Riding and Grimsby* Railway Company to construct a Railway from the *South Yorkshire* Railway to *Lincoln*; and for other Purposes. [5th July 1865.]

WHEREAS the *West Riding and Grimsby* Railway Com- 25 & 26 Vict.
 pany were incorporated by an Act passed in the Year One c. cxxi.
 thousand eight hundred and sixty-two, called "The *West*
Riding and Grimsby Railway Act, 1862:" And whereas by the same
 Act and the Agreement which forms a Schedule thereto, and which is,
 with some Modifications, confirmed by the same Act, the *Manchester,*
Sheffield, and Lincolnshire Railway Company and the *South Yorkshire*
 Railway and River *Dun* Company are authorized to guarantee to the
West Riding and Grimsby Railway Company a Dividend on the
 Capital of the last-named Company raised by Shares and expended
 on their Undertaking to an Amount not exceeding Three hundred
 and sixty thousand Pounds: And whereas by "The *South Yorkshire* 27 & 28 Vict.
 Railway and River *Dun* Company's Act, 1864," the Undertaking of c. lxxvii.
 the *South Yorkshire* Railway and River *Dun* Company is transferred
 to and vested in the *Manchester, Sheffield, and Lincolnshire* Railway
 Company for a Term of Nine hundred and ninety-nine Years; but by
 [Local.] 57 M the

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the same Act the Rights of the *West Riding and Grimsby Railway Company* under the said Act of 1862 are saved: And whereas it is expedient that the *West Riding and Grimsby Railway Company* should be empowered to construct a Railway from the *South Yorkshire Railway* to *Lincoln*: And whereas Plans and Sections showing the Lines and Levels of the Railway by this Act authorized, and also a Book of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers of the Lands required or which may be taken for the Purposes of the Railway, have been deposited with the respective Clerks of the Peace for the *Lindsey and Kesteven Divisions of Lincolnshire* and for the County of the City of *Lincoln*: And whereas it is expedient that the *Manchester, Sheffield, and Lincolnshire Railway Company* should be empowered to contribute towards the Cost of making the Railway, and to guarantee the Payment of a Dividend upon the Capital to be expended thereon, and also that they and the *South Yorkshire Railway and River Dun Company* should have Power to work the said Railway: And whereas it is expedient that the *West Riding and Grimsby Railway Company* should have Power to run over and use that Part of the *South Yorkshire Railway* which is situate between the *Trent* and the *West Riding and Grimsby Railway*, and also over a Portion of the *Great Northern Railway* at *Lincoln*: And whereas 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,)

Short Title.

1. This Act may be cited for any Purpose as "*The West Riding and Grimsby Railway (Extension) Act, 1865.*"

8 & 9 Vict.
cc. 18. & 20.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 92. incor-
porated.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," and (so far as applicable) Parts I. and III. of "The Railways Clauses Act, 1863," shall be incorporated with and form Part of this Act.

Interpre-
tation of
Terms.

3. In this Act the Words "the Company" mean "the *West Riding and Grimsby Railway Company*"; the Words "the *Sheffield Company*" mean "the *Manchester, Sheffield, and Lincolnshire Railway Company*"; the Words "the *South Yorkshire Company*" mean "the *South Yorkshire Railway and River Dun Company*"; the Words "the Railway" mean the Railway and the Works connected therewith by this Act authorized to be constructed; the Expression "the recited Act" means "*The West Riding and Grimsby Railway Act,*

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Act, 1862;" and the Expression "Superior Courts" or "Court of competent Jurisdiction," or other like Expression in this Act or any Act incorporated herewith, 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.

4. The several Words and Expressions to which by the Acts wholly or partially incorporated with this Act shall have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Same Meanings to Words, &c. in incorporated Acts as in this Act.

5. The Company may from Time to Time raise (in addition to the Sums of Money which they are authorized to raise) any further Sums not exceeding in the whole Four hundred thousand Pounds by the Creation of new Ordinary and new Preference Shares, or (at the Option of the Company) by either of those Modes.

Power to raise additional Capital by new Shares.

6. It shall not be lawful for the Company to issue any such Share, nor shall any such Share 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 is paid up in respect thereof.

Shares not to issue until One Fifth paid up.

7. The Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if such Shares had been original Shares in the Company.

Votes of Proprietors of new Shares.

8. The Company may from Time to Time, under the Powers of this Act, borrow on Mortgage, beyond the Sum now authorized to be borrowed by them, any additional Sum of Money not exceeding One hundred and thirty-three thousand Pounds, but no Part of that Sum shall be borrowed until the whole of the additional Capital by this Act authorized to be raised by new Shares is *bonâ fide* subscribed for or taken, and One Half thereof is paid up, and until the Company shall prove to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such additional Capital has been subscribed for or taken *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers and their Assigns are legally liable for the same, and that all the Shares have been issued, and Twenty *per Centum* at least paid up on each separate Share, and that One Half of the said Capital has been paid up, of which Proofs

Power to borrow on Mortgage.

having

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having been given the Certificate of such Justice under that Section shall be sufficient Evidence.

Existing
Mortgages
to have
Priority.

9. Provided always, That all Mortgages granted by the Company before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall, during the Continuance of such Mortgages, have Priority over any Mortgages to be created by virtue of this Act.

Application
of Sums
raised under
this Act.

10. All and every Part of the Monies which the Company are by this Act authorized to raise by new Shares or Mortgage shall be applied only to the Purposes authorized by this Act.

Parts of
8 & 9 Vict.
c. 16. and
26 & 27 Vict.
c. 118. in-
corporated.

11. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," "with respect to the Distribution of the Capital of the Company into Shares," "with respect to the Transfer or Transmission of Shares," "with respect to the Payment of Subscriptions, and Means of enforcing the Payment of Calls;" "with respect to the Forfeiture of Shares for Nonpayment of Calls;" "with respect to the Remedies of Creditors of the Company against the Shareholders," "with respect to the borrowing of Money by the Company on Mortgage or Bond," "with respect to the Conversion of the borrowed Money into Capital," "with respect to the Consolidation of Shares into Stock," and "with respect to affording Access to the Special Act by all Parties interested," and Parts I. and II. of "The Companies Clauses Act, 1863," shall be incorporated with this Act, and shall apply to all Shares created, and to Mortgages granted, and Monies borrowed, under the Powers of this Act.

Power to
Sheffield
Company to
subscribe,

and to apply
Funds for
that Purpose.

12. It shall be lawful for the *Sheffield* Company from Time to Time to subscribe any Sum which they think fit towards the Undertaking hereby authorized, not exceeding in the whole Two hundred and fifty thousand Pounds, and the said Company may, with the Authority of Three Fifths of their Shareholders present, personally or by proxy, at a General Meeting specially convened for the Purpose, contribute and apply in Payment of their said Subscription any Monies which they are already authorized to raise, and which may not be required by them for the Purposes of their Undertaking, and also any Monies which they are by this Act authorized to raise; and the said Company shall, in respect of the Sums to be subscribed and the corresponding Shares in the Company to be held by them, have all the Powers, Rights, and Privileges (except in regard to voting at General Meetings, which shall be as hereinafter provided), and be subject to all the Obligations and Liabilities, of Proprietors of Shares in the Company: Provided always, that it shall

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shall not be lawful for the said Company to transfer any of the said Shares in respect whereof further Capital shall have been raised by them under this Act.

13. It shall be lawful for the *Sheffield* Company from Time to Time to raise for the Purposes of their said Subscriptions any Sums of Money, not exceeding in the whole the Amounts which the Company may as aforesaid agree to subscribe, by the Creation and Issue of new Ordinary Shares or Stock and new Preference Shares or Stock in their Capital, or, at the Option of the said Company, by any or either of those Modes, and Part II. (relating to additional Capital) of "The Companies Clauses Act, 1863," shall extend and apply to the additional Capital so authorized to be raised by the said Company: Provided always, that if in the First Half of any Year there be Profits applicable to the Purposes of Dividend upon the Ordinary Shares or Stock of the said Company, after satisfying the Dividend and Arrears of Dividend (if any) due upon any other Preference Shares or Stock of the said Company previously created and issued, and also the Dividend for such Half Year on the Preference Shares or Stock to be created under the Powers of this Act, it shall be lawful for the said Company to declare a Dividend for such Half Year on such Ordinary Shares or Stock.

Power to
Sheffield
Company to
raise Money
by the Crea-
tion of
Shares or
Stock.

14. It shall not be lawful for the *Sheffield* Company to issue any Share under the Powers of this Act, nor shall any such Share 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, is paid up in respect thereof.

Shares of
Sheffield
Company not
to vest until
One Fifth
Part thereof
paid up.

15. All the Monies which the *Sheffield* Company may raise under the Powers of this Act shall be applied to no other Purposes than the before-mentioned Contributions.

Application
of Monies
raised by the
Sheffield
Company.

16. The *Sheffield* Company, whilst they continue Shareholders of the Company, may, by Writing under their Common Seal, from Time to Time appoint some Person to attend any Meeting of the Company; and such Person shall have all the Privileges and Powers attaching to other Shareholders at such Meetings, and may vote thereat in respect of the Capital held by the *Sheffield* Company.

As to Votes
of Sheffield
Company at
General
Meetings.

17. It shall be lawful for the *Sheffield* Company to guarantee, in respect of the Share and Loan Capital by this Act authorized to be raised, the same Dividend and Interest as by the firstly-recited Act attaches to the Share and Loan Capital by that Act authorized to be raised; and in the event of such Guarantee by the *Sheffield* Company

Sheffield
Company
may guaran-
tee Dividend
and Interest
on Capital
raised under
this Act.

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all the Provisions contained in the 5th, 6th, and 7th Articles of the Heads of Agreement contained in the Schedule to the recited Act, as modified by the 58th Section thereof, shall apply and attach to the additional Share and Loan Capital by this Act authorized to be raised as fully and effectually as though that Share and Loan Capital formed Part of the original Share and Loan Capital of the Company; and the Company and the *Sheffield* Company may from Time to Time enter into Agreements for securing to the said additional Share and Loan Capital, instead of such guaranteed Dividend and Interest as aforesaid, some other Dividend, Interest, or Advantage: Provided that no such Dividend or Interest shall interfere with or prejudicially affect the Rights attached to any Preference Shares or Stock, or to any Mortgages of the *Sheffield* Company, existing at the Time of the granting, under the Powers of this Act, of such guaranteed Dividend, Interest, or Advantage.

Powers for compulsory Purchases limited.

18. The Powers by this Act conferred for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act.

Lands for extraordinary Purposes.

19. The Quantity of Land to be purchased by the Company by Agreement adjoining or near to the Railway under this Act for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed Five Acres.

Power to make Railway according to deposited Plans.

20. It shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, to make and maintain the Railway herein-after described, with all proper Works, Approaches, and Stations, in the Line and upon the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels described on the said Sections, and the Company may enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Describing Railway.

21. The Railway by this Act authorized will commence by a Junction with the *South Yorkshire* Railway at or near the Bridge carrying the said Railway over the River *Trent* at *Keadby*, and terminate by a Junction with the *Great Northern* Railway Loop Line nearly opposite to the Grand Stand on the *Lincoln* Race-course.

Level Crossing.

22. Subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," and "The Railways Clauses Act, 1863," contained, it shall be lawful for the Company in the Construction of the Railway to carry the same across and upon the
Level

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Level of the public Road numbered on the said deposited Plans as follows; (that is to say,)

| No. on Plans. | Parish. | Description of Road. |
|---------------|--------------|-----------------------|
| 29 | Frodingham - | Public Carriage Road. |

But no more than a single Line of Railway shall be laid down on such level Crossing so long as the Railway shall consist of a single Line of Railway, and in no Case shall more than a double Line of Railway be laid down on such level Crossing.

23. It shall be lawful for the Company to construct the Bridge or Arch for carrying the Railway under the Road numbered 13 in the Parish of *Frodingham* on the said deposited Plans of such Dimensions as they think fit, not being less than Twenty-five Feet Span and Fourteen Feet high.

Regulating Width and Height of certain Bridge.

24. Excepting as is by this Act otherwise expressly provided, nothing in this Act or in the Acts incorporated in this Act contained shall lessen, defeat, prejudice, or affect the Jurisdiction or any of the Rights, Privileges, Powers, or Authorities of the Commissioners of Sewers for the Time being of and for the Limits of the Levels in the County of *Lincoln*, City of *Lincoln*, and County of the said City, and Part of the County of *Nottingham*, acting in and for the Wapentakes of *Manley*, *Corringham*, and *Aslaoe*, in the Parts of *Lindsey* in the County of *Lincoln*, but that the same, and all Estate, Franchise, Right, Title, and Interest of the said Commissioners, shall continue as fully and effectually to all Intents and Purposes as if this Act had not been made; and nothing herein or in the Acts incorporated herein contained shall be construed to authorize the Company, or any of their Agents, Servants, or Workmen, to alter, divert, or obstruct the Course, or to diminish or alter the Breadth, Depth, or Capacity, of the Channel or Waterway of any River, Stream, Sewer, Cut, Drain, or Watercourse within the Limits of the said Levels, or any other River, Stream, Sewer, Cut, Drain, or Watercourse, through or by means of which the Waters of the said Levels pass to their respective Outfalls, or to destroy, diminish in Height, in Width, weaken, injure, or interfere with any Banks, Bridges, Culverts, or other Works affecting the Drainage of the said Levels, without the Consent in Writing of the said Commissioners or their Clerk or Surveyor for the Time being for that Purpose first obtained; provided that if the Commissioners or their Clerk or Surveyor shall refuse their Consent, so required as aforesaid, the Question whether or not such Consent shall or shall not be given, and the Terms upon which it shall be given, shall stand referred to

Saving Jurisdiction of Commissioners of Sewers for the Wapentakes of Manley, Corringham, and Aslaoe.

the

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the Decision of an Arbitrator to be appointed by the Board of Trade; and all and singular the Works of the Company to be done within the Limits of the said Levels in the Construction and Maintenance of the Railway, or in any Manner connected therewith, so far as the same may affect the Drainage, or the several Works, Aids, or Defences of the said Levels, shall be done and completed to the reasonable Satisfaction of the Surveyor for the Time being of the said Commissioners; and the Works of the Company, and all Lands, Tenements, and Hereditaments which may be taken or held by the Company, shall, so far as concerns the Drainage and Preservation of the said Levels, be under and subject to the Control, Survey, Order, Direction, and Management of the said Commissioners, and shall be liable to all Drainage and other Rates, Taxes, and Impositions imposed or to be imposed by the said Commissioners in like Manner as other Works and other Lands, Tenements, and Hereditaments within the said Levels are now or hereafter may be under and subject and liable to the same respectively, but only upon the Basis of the agricultural Value of such Lands; and it shall not be lawful for the Company to extend any public or private Drainage within the said Limits to any Land not previously drained by such public or private Drainage; provided also, that in carrying the Railway over the *Ings* Drain, situate in the Parish of *Frodingham*, numbered 10 on the deposited Plans referred to in this Act, there shall be made under the said Railway a clear Opening of the Width of Twelve Feet measured at Right Angles to the Line of Mid-stream of the said Drain, and of the Height of Five Feet measured from and above the natural Surface of the Land at such Opening, and the Bottom of the said Opening shall be on a Level with the Top of the Sill of the Sluice of the *Brumby* Sewer situate next the River *Trent* in the said Parish of *Frodingham*; provided also, that in carrying the Railway over the *Brumby* Sewer situate in the Parish of *Frodingham*, numbered 12 on the said deposited Plans, there shall be made under the Railway a clear Opening of the Width of Twelve Feet measured at Right Angles to the Line of Mid-stream of the said Sewer, and of the Height of Five Feet measured from and above the natural Surface of the Land at such Opening, and the Bottom of the said Opening shall be on a Level with the Top of the Sill of the said Sluice of the said *Brumby* Sewer; provided also, that in carrying the Railway over the *Bottesford* Beck, situate partly in the Parish of *Bottesford*, and numbered 62 on the said deposited Plans, and partly in the Parish of *Messingham*, and numbered 5 on the same Plans, there shall be made under the Railway a clear Opening of the Width of Twenty-five Feet measured at Right Angles to the Line of Mid-stream of the said Beck, and of the Height of Ten Feet measured from and above the natural Surface of the Land at such Opening, and a Bridle Path of the Width of Six Feet be formed in the said Opening on the South
Side

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Side thereof, with a Bridle Gate at each End of such Bridle Path, and the Foundation of the Bridge over the said Opening shall not be less than Three Feet below the present Bottom of the said Beck; provided also, that in carrying the Railway over the *Manton* Sewer, situate partly in the Parish of *Scotter*, and numbered 2 on the said deposited Plans, and partly in the Parish of *Manton*, and numbered 1 on the same Plans, there shall be made under the Railway a clear Opening of the Width of Twelve Feet measured at Right Angles to the Line of Mid-stream of the said Sewer, and of the Height of Three Feet measured from and above the natural Surface of the Land at such Opening, and the Foundation of the Bridge over the said Opening shall not be less than Three Feet below the present Bottom of the said Sewer, and a Bridle Path of the Width of Six Feet shall be provided on the East Side of the said Sewer across the Railway, with a Bridle Gate at each End of such Bridle Path, for the Passage of the said Commissioners, their Officers, Servants, and Workmen, from the Lands situate at each End of the said Opening to the Lands situate at the other End of the said Opening.

25. If any Person shall sustain any Damage or Injury in his or their Lands by or by reason or in consequence of any Destruction, lowering, narrowing, weakening, or injuring of or Interference with any of the Banks, Bridges, Culverts, Rivers, Streams, Sewers, Cuts, Drains, Watercourses, or other Works affecting the Drainage of the said Levels, within the said Wapentakes of *Manley*, *Corringham*, and *Aslaoe*, by reason of the Construction or Maintenance of the Railway or other Works of the Company, or from or by reason or in consequence of any Defects in the same, or in any Manner connected therewith, then and in every such Case the Company shall and they are hereby required to make good such Damage, and to restore and make good such Banks, Bridges, Culverts, Rivers, Streams, Sewers, Cuts, Drains, Watercourses, and other Works in a substantial and perfect Manner to the Satisfaction of the said Commissioners.

Company required to repair any specific Damage.

26. The Company shall at all Times hereafter, at their own Expense, well and sufficiently repair and maintain all Works constructed or to be constructed for or in connexion with the Railway; and if at any Time after the Railway shall have been completed any Obstruction or Injury shall be occasioned to the Drainage, or to any of the Works, Aids, and Defences of the said Levels, from the Construction or Maintenance of any Works of the Company, or from the working of the Railway, or from the State in which any Part of the Works of the Company shall then be, the Company shall make good and repair such Injury immediately after the Discovery thereof, and shall also make full Compensation to the said Commissioners and to any Person who shall be aggrieved by reason of such Obstruction or Injury.

Company to keep Works in repair, and make good any Damage hereafter.

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Power to
use Part of
South York-
shire Rail-
way and of
Great North-
ern Railway.

27. The Company and any Company running over the whole Undertaking of the Company, including the Railway hereby authorized, may pass over and use with their Engines and Carriages and Servants, and for the Purposes of Traffic of all Kinds, so much of the *South Yorkshire* Railway as will be situate between the Junction therewith of the Railway hereby authorized near *Keadby* and the Junction therewith of the *West Riding and Grimsby* Railway in the Parish of *Hatfield*, and also so much of the *Great Northern* Railway as will be situate between the Junction therewith of the Railway hereby authorized and the *Lincoln* Passenger Station of the *Great Northern* Railway Company, including the Use of that Station, together with the Stations, Sidings, Watering Places, Signals, Signal Posts, and other Machinery, Booking and other Offices, Buildings, Approaches, Works, and Conveniences belonging to or connected with the said respective Portions of Railway or the said Stations.

Regulations
as to such
Use.

28. The Conditions and Regulations to which the Company shall be subject in respect of the said Use shall, if not agreed upon between them and the Company owning or working the said respective Portions of Railway, be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade; and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct; and either of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to the other Company any Sum not exceeding Fifty Pounds for every such Offence, and Twenty Pounds for every Day during which such Offence shall continue.

Byelaws to
be observed.

29. The Company, in using or traversing the said respective Portions of Railway, and in using the Stations and Conveniences thereof, in accordance with the Provisions herein-before mentioned, shall at all Times observe the Regulations and Byelaws for the Time being in force on the Undertaking so used, so far as such Byelaws shall be applicable to the Company.

Running
Powers to
Sheffield
Company.

30. The *Sheffield* Company shall have the Right in perpetuity to pass over and use, with their Engines, Carriages, and Servants, and for the Purposes of Traffic of all Kinds, the Railway by this Act authorized, and the Sidings, Stations, Station Accommodation, Water Supply, Works, and Conveniences connected therewith.

Sheffield
Company not

31. The *Sheffield* Company shall not, without the Consent of the Company, take up any Traffic at any Station on any Part of the Railway

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Railway so passed over and used by the *Sheffield* Company, nor shall they set down such Traffic at any other Station on the said Railway; and the *Sheffield* Company in passing over and using the Railway shall duly observe all the Byelaws and Regulations from Time to Time in force with respect to that Railway, and applicable to the *Sheffield* Company.

to interfere with local Traffic, and to be subject to Byelaws of Company.

32. The gross Receipts, clear of all Outpayments of the *Sheffield* Company, for all Traffic conveyed by them partly over the Railway or any Part of the Railway so passed over and used by them, and partly over any other Railway, shall, in consideration of and by way of Payment for such Use, after Deduction of Terminals, be divided between the *Sheffield* Company and the Company in due Mileage Proportion to the Length of the several Railways over which the Traffic is conveyed, the *Sheffield* Company first deducting for Working Expenses such a Sum as shall be settled by Arbitration in case the same is not agreed upon.

Terms upon which Running Powers are to be exercised by the *Sheffield* Company.

33. The Company may demand and receive for and in respect of the Railway the same Tolls and Charges as they are now authorized to receive in respect of their authorized Undertaking, and the Railway shall, for the Purposes of Tolls, be deemed Part of the *West Riding and Grimsby* Railway.

Railway as to Tolls to form Part of Company's Undertaking.

34. If the Railway shall not be completed within Five Years from the passing of this Act, then on the Expiration of such Period the Powers by this Act granted to the Company for making the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Period for Completion of Railway.

35. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, the Sum of Forty thousand Pounds Three Pounds *per Centum* Consolidated Bank Annuities, being equal to the Sum of Thirty-six thousand Pounds, and being Eight *per Centum* on the Amount of the Estimate of Expense of the Railways originally proposed to be authorized by this Act, has been transferred into the Name and with the Privity of the Accountant General of the Court of Chancery in *England*, pursuant to the said Act, in respect of the Application to Parliament for this Act: And whereas inasmuch as Part of the Undertaking originally proposed is not now authorized by this Act, and the Estimate of Expense of the Railways originally proposed to be authorized has been reduced to the Sum of Four hundred thousand Pounds, be it enacted, That, notwithstanding anything contained in the said recited Act, so much of the said Sum of Forty thousand Pounds Three Pounds *per Centum* Consolidated Bank Annuities

Money deposited in the Court of Chancery to be forfeited to the Crown in a certain Event.

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Annuities as was at the Time of the Transfer thereof equal to the Sum of Thirty-two thousand Pounds, being Eight *per Centum* on the said reduced Estimate so transferred 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 the Completion of the Railway, 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 Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, such Portion of the said Sum of Money transferred as aforesaid as was at the Time of such Transfer equal to the Sum of Thirty-two thousand Pounds, 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 Thirty-two thousand 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 Thirty-two thousand Pounds if the Company shall not, within the Time limited for the Completion of the Railway, either open the 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, then such Portion of the said Sum of Money so transferred as was equal to the Sum of

Thirty-

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Thirty-two thousand Pounds at the Time of such Transfer, 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.

36. The Court of Chancery may, at any Time after the passing of this Act, order that so much of the said Sum of Forty thousand Pounds Three Pounds *per Centum* Consolidated Bank Annuities as was at the Time of the said Transfer equal to the Sum of Four thousand Pounds, and any Dividends thereon, may be transferred and paid to the Company, or to such Persons or Person as the Company may appoint on that Behalf; and upon such Order being made such Portion of the said Sum of Forty thousand Pounds Three Pounds *per Centum* Consolidated Bank Annuities as was at the Time of the said Transfer equal to the Sum of Four thousand Pounds, and the Dividends thereon, shall be transferred and paid to the Company, or to such Person or Persons as the Company shall appoint.

Court of Chancery may order Payment of surplus Deposit.

37. The Company on the one hand, and the *Sheffield* Company and the *South Yorkshire* Company, or either of those Companies, on the other hand, may from Time to Time enter into Contracts or Arrangements with respect to the following Purposes or any of them; (that is to say,)

Power to enter into Traffic Arrangements with the *Sheffield* Company and the *South Yorkshire* Company.

The Management, Use, Working, and Maintenance of the Railway or of any Parts thereof:

The Supply of any Rolling or Working Stock and of Officers and Servants for the Conduct of the Traffic on the Railway:

The Payments to be made and the Conditions to be performed with respect to the Matters aforesaid:

The Interchange, Accommodation, Conveyance, and Delivery of Traffic coming from or destined for the Undertakings of the contracting Companies, and the fixing and Division between the said Companies of the Receipts arising from such Traffic.

The West Riding and Grimsby Railway (Extension) Act, 1865.

Railways to
be con-
tinuous.

38. During the Continuance of any such Agreement, in estimating the Tolls and Charges to be paid in respect of Articles or Persons conveyed partly on the Railway of one of the contracting Companies and partly on the Railway of the other of them, the Distances traversed shall be reckoned continuously as if the Railways were One Railway, and the Charges to be made in respect of the Railways so made continuous shall be the Tolls and Charges by this Act authorized; and if the Distance traversed by any such Traffic be for a less Distance than Four Miles, no more than a Charge for Four Miles shall be made in respect of such Traffic; and in respect of Animals, Minerals, and Goods, for every Quarter of a Mile or Fraction of a Quarter of a Mile beyond Four Miles Tolls and Charges may be charged as for a Quarter of a Mile only; and no other Short-distance Charge than for Four Miles shall be made for the Conveyance of Passengers, Animals, Minerals, and Goods, or other Matters, partly on the Railway of the Company, and partly on the Railway of the other contracting Company or Companies.

Saving exist-
ing Right
to contract.

39. Nothing in this Act contained shall lessen or invalidate the Right to make Contracts which the Company may derive from "The Railways Clauses Consolidation Act, 1845," or from the General Law.

Saving
Rights of
Duchy of
Cornwall.

40. Nothing contained in this Act, or in any Act or Acts incorporated herewith, or herein mentioned or referred to, shall extend to authorize the Company to take, use, enter upon, or interfere with any Land, Soil, or Water, or any Rights in respect thereof, belonging to Her Majesty, Her Heirs or Successors, in right of the Duchy of *Cornwall*, without the Consent in Writing of some Two or more of such of the regular Officers of the said Duchy or of such other Persons as may be duly authorized under the Provisions of "The Duchy of *Cornwall* Management Act, 1863," Section 39, to exercise all or any of the Rights, Powers, Privileges, and Authorities by the said Act made exerciseable or otherwise for the Time being exerciseable in relation to the said Duchy, or belonging to the Duke of *Cornwall* for the Time being without the Consent of such Duke, testified in Writing under the Seal of the Duchy of *Cornwall*, first had and obtained for that Purpose, or to take away, diminish, alter, prejudice, or affect any Property, Rights, Profits, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors, in right of the Duchy of *Cornwall*, or in or by the Duke of *Cornwall* for the Time being.

Interest on
Calls not to
be paid out
of Capital.

41. It shall not be lawful for the Company, out of any Money by this Act or by any other Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay

The West Riding and Grimsby Railway (Extension) Act, 1865.

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 herein-before 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.

42. 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 an Act authorizing the Company to construct any other Railway, or to execute any other Work or Undertaking.

Deposits for future Bills not to be paid out of Capital raised under this Act.

43. Nothing herein contained shall be deemed or construed to exempt the Railway 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 authorized to be taken by the Company, or of the Rates for small Parcels.

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

44. All the Expenses of applying for and obtaining this Act, or preparatory or incident thereto, shall be paid by the Company.

Expenses of Act.

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The history of the United States is a story of growth and expansion. From a small collection of colonies on the eastern coast, it grew into a vast nation that spanned the continent. The early years were marked by struggle and conflict, as the colonies fought for their independence from British rule. The American Revolution was a turning point in the nation's history, leading to the signing of the Declaration of Independence in 1776. The new nation then faced the challenge of building a government that would unite the diverse states and territories. The Constitution was drafted in 1787, providing a framework for the federal government. The years following the Revolution were a period of rapid growth and development. The nation expanded westward, acquiring new territories and states. The Industrial Revolution brought about significant changes in the economy and society. The United States emerged as a major power in the world, competing with Europe for global influence. The Civil War, fought between 1861 and 1865, was a pivotal moment in the nation's history, resolving the issue of slavery and preserving the Union. The Reconstruction era followed, as the nation sought to rebuild and integrate the newly freed African Americans. The late 19th and early 20th centuries were characterized by progressivism and the rise of big business. The United States continued to expand its influence abroad, leading to the Spanish-American War and the acquisition of territories in the Pacific and Caribbean. The 20th century was a period of great change and challenge. The United States played a leading role in World War II, defeating the Axis powers and emerging as a superpower. The Cold War era was marked by a tense rivalry between the United States and the Soviet Union. The 1960s saw the Vietnam War and the civil rights movement, which led to significant social and political changes. The late 20th and early 21st centuries have been characterized by technological advancement, globalization, and the rise of the internet. The United States remains a major power in the world, facing new challenges and opportunities in the 21st century.