



CHAPTER lxxx.

An Act to confer further powers on the Manchester Sheffield and Lincolnshire Railway Company in connection with their undertaking and for other purposes.

A.D. 1888.

[5th July 1888.]

WHEREAS it is expedient that the Manchester Sheffield and Lincolnshire Railway Company (in this Act called the Company) should be empowered to purchase by compulsion or agreement for the general purposes of their undertaking and works connected therewith the lands and buildings hereinafter described or referred to:

And whereas it is expedient that the Company should be authorised to stop up and discontinue the portion of a public highway hereinafter mentioned in the West Riding of the county of York and make a new road in lieu thereof:

And whereas it is expedient that the Company be authorised to divert stop up and discontinue the roads and footpaths hereinafter mentioned in the county of Chester:

And whereas the railway of the Company described as Railway No. 12 in the Second Schedule to the South Yorkshire Railway and River Dun Company's Vesting Act 1874 was constructed by the South Yorkshire Railway and River Dun Company on land belonging to them under the general powers vested in that Company for making and maintaining railways but without any special Act of Parliament for that purpose and the said Railway No. 12 is now vested in the Company under and by virtue of the South Yorkshire Railway and River Dun Company's Vesting Act 1874 and forms part of the Company's main line between Sheffield and Doncaster but a doubt has arisen whether the said Railway No. 12 for the purposes of rating may be deemed to be a railway constructed under the powers of an Act of Parliament for public conveyance within the meaning of the Public Health Act 1875 and it is expedient to put an end to that doubt:

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Railway (Additional Powers) Act, 1888.

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And whereas it is expedient that the Company should abandon and relinquish the construction of Railway No. 3 authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 for the construction and completion of certain railways and works respectively described in sub-sections 1 2 8 9 and 10 of section 4 of that Act and authorised thereby should be extended :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1884 for the completion of Railway No. 4 authorised by that Act should be extended :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1885 for the completion of Railway C authorised by the Wigan Junction Railways Act 1875 should be further extended :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1886 for the compulsory purchase of lands and buildings for the purposes of the works described in sub-sections 1 2 8 and 9 of section 4 of the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 should be further extended :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway Act 1887 for the compulsory purchase of lands for the purpose of Railway No. 4 described in section 4 and of the lands houses and buildings in the parish of Wigan described in section 12 of the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1884 should be further extended :

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1885 for the compulsory purchase of lands for the construction of the railways described in that Act and authorised thereby should be extended :

And whereas it is expedient that further provision be made respecting the holding and disposal of lands belonging to the Company the Cheshire Lines Committee and the Sheffield and Midland Railway Companies Committee :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

And whereas plans and sections describing the several works authorised by this Act and books of reference to those plans containing the names of the owners or reputed owners lessees or

reputed lessees and of the occupiers of lands in the line of the proposed works or within the limits of deviation as defined on the plans and describing those lands and plans of other lands by this Act authorised to be taken compulsorily with like books of reference thereto have been deposited with the clerk of the peace for the county of Chester and the clerk of the peace for the West Riding of the county of York which several plans sections and books of reference are in this Act referred to as the deposited plans sections and books of reference respectively : A.D. 1888.

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) :—

1. This Act may be cited as the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1888. Short title.

2. The following enactments (as far as the same respectively are applicable for the purposes of and not varied by or inconsistent with this Act) are hereby incorporated with this Act (namely) :— Incorporation of Acts.

The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 :

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the provision to be made for affording access to the special Act :

Part II. of the Railways Clauses Act 1863 relating to extension of time.

3. In this Act the several words and expressions to which meanings are assigned by the recited Acts or by the Acts wholly or partially incorporated therewith or herewith or rendered applicable thereto or hereto have in this Act the same respective meanings unless the same be varied by this Act or unless there be something in the subject or context repugnant to such construction : And in this Act and for the purposes of this Act in any Act incorporated herewith or rendered applicable hereto the term "court of competent jurisdiction" shall have effect as if the debt or demand with respect to which the term is used were a common simple contract debt and not a debt or demand created by statute and the term "superior courts" shall include any court of competent jurisdiction. Interpretation.

4. Subject to the provisions of this Act the Company may from time to time enter upon take use and appropriate to the purposes of their undertaking all or any of the lands and buildings following Power to acquire lands for general purposes.

A.D. 1888. delineated on the deposited plans and described in the deposited books of reference (that is to say) :—

Certain lands houses and buildings situate in the several parishes of Sprotborough and Warmsworth in the West Riding of the county of York belonging or reputed to belong to Sir Charles Watson Copley and others and known as Sprotborough Mills :

Certain houses lands and buildings situate in the township and parish of Warmsworth in the West Riding of the county of York adjoining and abutting on the north side of the railway of the Company from Conisborough to Doncaster and abutting on the east side upon a road leading from Warmsworth to Sprotborough and belonging or reputed to belong to Richard Heber Wrightson and others.

Power to
make new
road and
alter and
stop up
existing
roads foot-
paths &c.

5. Subject to the provisions of this Act the Company may make and maintain in accordance with the deposited plans relating thereto and so far as the same are shown on the deposited sections according to the levels shown thereon the new road alterations diversions and stopping up of roads and footpaths hereinafter described with all proper works and conveniences connected therewith or incidental thereto and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for that purpose (that is to say) :—

The stopping up of so much of a public highway situate in the township of Monk Bretton and parish of Royston in the West Riding of the county of York known as Smithies Lane as crosses the railway of the Company leading from Barnsley to Royston on the level and as lies between the easterly and westerly boundary fences of that railway and in lieu thereof to make a new road commencing at a point on the northerly side of Smithies Lane aforesaid distant five chains or thereabouts measured in a westerly direction along that lane from the centre of the said branch railway and terminating at another point on the northerly boundary fence of Smithies Lane aforesaid distant three and a half chains or thereabouts measured in a westerly direction along that lane from the point where it joins the turnpike road leading from Barnsley to Wakefield : Provided that the Company shall keep open for public traffic the footbridge over their railway at the said level crossing and for ever hereafter maintain that footbridge in repair.

The diversion of a road or lane called Brook Lane wholly in the parish of St. Oswald in the county of Chester from a point in Brook Lane one hundred and five yards or thereabouts measured

in a westerly direction from the centre of the bridge carrying Brook Lane over the joint railway of the London and North Western and Great Western Railway Companies and terminating at a point in the Liverpool Road in the same parish eighteen yards or thereabouts from the south-west corner of the house known as "Corville" in the occupation of Henry John Birch such diversion being in lieu of the diversion of Brook Lane as shown on the plans deposited in respect of the Manchester Sheffield and Lincolnshire Railway (Chester to Connah's Quay) Act 1884. A.D. 1888.

The stopping up of so much of the footpath or occupation road numbered 20A in the parish of St. Oswald in the county of Chester on the plans referred to in the last-mentioned Act leading from Victoria Road to Liverpool Road as lies between Liverpool Road and the proposed diversion of Brook Lane and so much of the occupation road running on the north side of the field numbered 19 in the said parish of St. Oswald on the same plans as lies between the Liverpool Road and the house and garden numbered 24 on the same plans.

6. When and as soon as the substituted roads shall be opened for traffic all rights of way over and along the respective portions of roads and footpaths by this Act authorised to be stopped up respectively shall cease and be extinguished and the sites thereof respectively so far as the same may be bounded on both sides by lands belonging to the Company shall vest in and belong to the Company but the Company shall not stop up any existing road or any footpath until they shall have completed to the satisfaction of two justices and opened to the public the road or footpath (if any) to be substituted therefor. Vesting in Company of roads foot-paths &c. stopped up.

7. The Company may apply for the purposes of this Act to which capital is properly applicable any moneys which they now have in their hands or which they have power to raise by shares or mortgage and which may not be required for the purposes for which the same were authorised to be raised. Power to apply corporate funds to purposes of Act.

8. Section 18 of the Manchester Sheffield and Lincolnshire Railway (Chester to Connah's Quay) Act 1884 is hereby repealed and in lieu thereof the following provisions for the benefit and protection of the Corporation of the city of Chester (in this section called "the Corporation") shall unless otherwise agreed in writing between the Company and the Corporation under their respective common seals be binding upon the Company and full effect shall be given thereto. For the protection of the Corporation of Chester.

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- (1.) The Company shall in carrying out the diversion of the road or lane called Brook Lane by this Act authorised connect the diverted road with Liverpool Road and with the proposed continuation of Victoria Road (hereinafter called "Victoria Road continuation") respectively with and by means of easy curves at each of the said points of junction as shown upon a plan signed by the surveyor for the Corporation and Francis Fox the engineer for the Company and to the reasonable satisfaction of the surveyor for the time being of the Corporation (in this section called "the surveyor").
- (2.) The Company shall construct on either side of the Liverpool Road a footway which shall be formed kerbed flagged and channelled the whole length of the bridge and the respective approaches to the bridge carrying that road over the railway.
- (3.) The diversion of Brook Lane shall be made and completed in all respects in accordance with the Corporation specification for streets including the providing and laying of gas and water mains. The line of the road shall be as shown upon the plan signed as aforesaid.
- (4.) The line of Victoria Road continuation shall be as shown upon the same plan from Brook Lane as intended to be diverted to Brook Lane as it now exists and thence southwards the east side of the present Victoria Road shall be set back as shown upon the plan signed as aforesaid to the reasonable satisfaction of the surveyor so as to form the existing road and the Victoria Road continuation into a proper continuous line of road and the whole shall be made and completed in all respects in accordance with the Corporation specification of streets including the providing and laying of gas and water mains.
- (5.) The Company shall construct the bridge carrying the railway over the Parkgate Road of such width and height as to leave under such bridge a clear space measured at a right angle to that road of not less than forty feet and a clear height from the surface of that road for the whole width thereof of not less than eighteen feet such bridge shall be made and maintained so as to prevent as far as practicable the dripping of water therefrom on any part of the road and so as to deaden as far as practicable the sound of engines carriages and traffic passing over it and the Company shall make flag and kerb a footway on each side of that road not less than five feet wide under such bridge and for a distance of twenty yards north and south thereof.
- (6.) The Company shall plant with ornamental trees and shrubs so much and such parts of the embankment on either side of

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- the last-mentioned bridge as the surveyor shall require not exceeding altogether eight chains in length.
- (7.) The Company shall cause the railway to be roofed in on either side of each of the bridges carrying the Liverpool Road and Victoria Road continuation respectively over the railway for a distance of ten feet from each side of each of the said bridges and shall be so constructed as to prevent the emission of smoke from engines using the railway within that distance.
- (8.) The inclination of the Liverpool Road the Victoria Road continuation and Brook Lane as diverted respectively shall not be steeper than as shown on the deposited plans and sections.
- (9.) Where any of the intended works to be done under or by virtue of this Act or the said Act of 1884 shall or may pass over under or by the side of or so as to interfere with any sewer drain watercourse defence or work under the jurisdiction or control of the Corporation or shall or may affect the sewerage or drainage of the Corporation the Company shall provide by new altered or substituted works in such manner as the Corporation shall reasonably require for the proper protection of and for giving access and preventing injury or impediment to the sewers and works in this sub-section referred to by reason of the said intended works or any part thereof and shall save harmless the Corporation against all and every expense to be occasioned thereby.
- (10.) The Company shall not commence any works in respect of which provision is made by this section until they shall have given to the Corporation twenty-eight days previous notice of their intention to commence the same by leaving such notice at the office of the town clerk of the city of Chester.
- (11.) Any difference which may arise between the Corporation and the Company as to the true intent and meaning of any of the provisions of this section or as to any works to be executed and powers to be exercised thereunder or as to the mode of giving effect thereto shall from time to time be referred to and be determined by an engineer to be agreed upon or failing agreement by an engineer to be appointed on the application of either party by the president for the time being of the Institution of Civil Engineers.

9. The Company shall and may abandon the construction of Railway No. 3 authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 and on and after the passing of this Act the Company shall except only as is by this Act otherwise expressly provided be absolutely freed from

Abandonment
of Railway
No. 3 autho-
rised by the
Manchester
Sheffield and
Lincolnshire
Railway
(Additional
Powers) Act,
1883.

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A.D. 1888. all obligations with respect to the making and maintaining of that railway.

Compensation for damage to land by entry.

10. The abandonment by the Company under the authority of this Act of the railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which may have been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 or any other Act relating to the Company.

Compensation to be made for non-completion of purchase &c.

11. Where before the passing of this Act any contract may have been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the railway or any portion thereof the Company shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Extension of time for completion of certain works authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883.

12. The time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 for the construction and completion of the railways and works respectively described in sub-sections 1 2 8 9 and 10 of section 4 of that Act and authorised thereby is hereby extended for three years from the second day of August one thousand eight hundred and eighty-eight.

Extension of time for completion of Railway No. 4 authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1884.

13. The time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1884 for the completion of Railway No. 4 authorised by that Act is hereby extended for a period of three years from the fourteenth day of July one thousand eight hundred and eighty-nine.

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14. The time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1885 for the completion of Railway C authorised by the Wigan Junction Railways Act 1875 is hereby further extended for a period of three years from the sixteenth day of July one thousand eight hundred and eighty-eight.

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Extension of time for completion of railway C authorised by the Wigan Junction Railways Act 1875.

15. If the railways and works respectively mentioned in the last three preceding sections shall not be completed within the extended periods respectively by this Act limited then on the expiration of those periods respectively the powers by the several and respective Acts mentioned in those sections and by this Act granted to the Company for completing the respective railways and works or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Powers not to be exercised after extended periods.

16. The powers granted to the Company by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 for the compulsory purchase of lands and buildings for the purposes of the works described in sub-sections 1 2 8 and 9 of section 4 of that Act are hereby further extended and may be exercised by the Company for and during a period of two years from the second day of August one thousand eight hundred and eighty-eight.

Extension of time for purchase of lands under the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883.

17. The powers granted to the Company by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1884 for the compulsory purchase of lands and buildings for the purposes of Railway No. 4 described in and authorised by that Act are hereby further extended and may be exercised by the Company for and during a period of one year from the fourteenth day of July one thousand eight hundred and eighty-eight.

Extension of time for purchase of lands for Railway No. 4 authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1884.

18. The powers granted to the Company by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1884 for the compulsory purchase of lands for the purposes of that Act so far as they relate to or affect lands or buildings in the parish of Wigan in the county of Lancaster are hereby further extended and may be exercised by the Company for and during a period of one year from the fourteenth day of July one thousand eight hundred and eighty-eight.

Extension of time for purchase of lands in parish of Wigan under same Act.

19. The powers granted to the Company by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1885 for the compulsory purchase of lands for the purposes of that Act are hereby extended and may be exercised by the Company for and during a period of two years from the sixteenth day of July one thousand eight hundred and eighty-eight.

Extension of time for purchase of lands under the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1885.

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Railway (Additional Powers) Act, 1888.

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 For protec-
 tion of Roger
 Leigh.

20. The Company shall when constructing their Railway No. 1 authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 if so required by Roger Leigh or the owner for the time being of the Whitley Hall Estate (hereinafter referred to as the owner) construct and maintain on the Whitley Hall Estate a bridge for the purpose of carrying over the railway a proposed new main road intended to be made through that estate at the point where the proposed road shall intersect the railway. The bridge to be of a width between the parapets of not less than forty feet with approaches of the same width as the intended road having gradients not steeper than one in forty all such works to be constructed to the reasonable satisfaction of the engineer of the borough of Wigan: Provided that the Company shall not be compelled to make the approaches to the bridge on the land belonging to William Woods unless and until the owner shall be in a position to put the Company in possession of the requisite land for the purpose of the construction of such approaches and provided that nothing herein contained shall affect the rights of the owner to compensation in respect to any interference with the said estate except that the Company shall not be required to pay for any land part of the said estate required for the said approaches.

Rating of
 Railway No. 12
 in Second
 Schedule of
 South York-
 shire Railway
 and River Dun
 Company's
 Vesting Act
 1874.

21. The railway of the Company mentioned and described as Railway No. 12 in the Second Schedule of the South Yorkshire Railway and River Dun Company's Vesting Act 1874 shall for all purposes of rating under the provisions of the Public Health Act 1875 be deemed to be a railway constructed under the powers of an Act of Parliament for public conveyance within the meaning of that Act.

Extending
 period for
 sale of
 superfluous
 lands of
 Company.

22. The Company may notwithstanding anything in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company with which that Act is incorporated retain and hold any lands belonging to them in the parishes townships or places mentioned in the First Schedule to this Act which have not yet been applied or are not yet required for the purposes of the Company for the periods following (that is to say): As regards such of the lands as are situate near to or adjoining any station of the Company or may in the opinion of the Company be required by them for the purposes of stations sidings or other conveniences for the period of ten years from the passing of this Act and as regards the residue of the said lands for the period of three years from the passing of this Act but the Company shall at the expiration of such respective periods sell and absolutely dispose of as superfluous lands all such parts of those

lands as shall not then have been applied to or are not then required for the purposes of their undertaking. A.D. 1888.

23. The Cheshire Lines Committee may notwithstanding anything in the Lands Clauses Consolidation Act 1845 or in any Act relating to that committee with which that Act is incorporated retain and hold any lands belonging to them in the parishes townships or places mentioned in the Second Schedule to this Act which have not yet been applied or are not yet required for the purposes of that committee for the periods following (that is to say): As regards such of the lands as are situate near to or adjoining any station of that committee or may in the opinion of that committee be required by them for the purposes of stations sidings or other conveniences for the period of ten years from the passing of this Act and as regards the residue of the said lands for the period of three years from the passing of this Act but that committee shall at the expiration of such respective periods sell and absolutely dispose of as superfluous lands all such parts of those lands as shall not then have been applied to or are not then required for the purposes of their undertaking.

Extending
period for
sale of super-
fluous lands
of Cheshire
Lines
Committee.

24. The Sheffield and Midland Railway Companies Committee may notwithstanding anything in the Lands Clauses Consolidation Act 1845 or in any Act relating to that committee with which that Act is incorporated retain and hold any lands belonging to them in the parishes townships or places mentioned in the Third Schedule to this Act which have not yet been applied or are not yet required for the purposes of that committee for the periods following (that is to say): As regards such of the lands as are situate near to or adjoining any station of that committee or may in the opinion of that committee be required by them for the purposes of stations sidings or other conveniences for the period of ten years from the passing of this Act and as regards the residue of the said lands for the period of three years from the passing of this Act but that committee shall at the expiration of such respective periods sell and absolutely dispose of as superfluous lands all such parts of those lands as shall not then have been applied to or are not then required for the purposes of their undertaking.

Extending
period for
sale of super-
fluous lands
of Sheffield
and Midland
Railway
Companies
Committee.

25. The Company shall not under the powers of this Act or of the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1883 the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1884 the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1885 or any or either of those Acts so far as the powers for the compulsory purchase of lands granted by that Act are by this Act extended purchase or acquire

Restrictions
on displacing
persons of
labouring
class.

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A.D. 1888. in any city borough or other urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until :—

(a.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case ; and

(b.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions if any as they may see fit.

(4.) Any conditions subject to which the Local Government Board may have approved of any scheme under this section or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the Queen's Bench Division of the High Court of Justice.

(5.) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local

Government Board by action in the High Court of Justice and shall be carried to and form part of the Consolidated Fund of the United Kingdom: Provided that the court may if it think fit reduce such penalty. A.D. 1888.
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(6.) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7.) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply to the general purposes of their undertaking:

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment: Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may see fit.

(8.) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company for the purpose of any scheme under this section.

(9.) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and the inspectors of the Local

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A.D. 1888. — Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(10.) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(11.) For the purposes of this Act the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Provision as
to general
Railway
Acts.

26. Nothing in this Act contained shall exempt the Company from the provisions of any general Act relating to railways or 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 or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised by this Act.

Costs of Act.

27. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

The SCHEDULES referred to in the foregoing Act.

A.D. 1888.

THE FIRST SCHEDULE.

Parishes in which the superfluous lands of the Company are situate :

LANCASHIRE	West Riding of the County of York— <i>cont.</i>	Lincolnshire— <i>cont.</i>
Manchester	Doncaster	Wrawby
Ashton-under-Lyne	Fishlake	Barnetby-le-Wold
	Kirk Sandall	Melton Ross
CHESHIRE	Mexborough	Ulceby
Stockport	Royston	Killingholme
Mottram	Sprotborough	Habrough
Prestbury	Thorne	Great Coates
Wilmslow	Thrybergh	Great Grimsby
Mobberley	Wath-upon-Dearne	Clee
Knutsford	Warmsworth	Goxhill
		Barrow-upon-Humber
DERBYSHIRE.		North Kelsey
Glossop	NOTTINGHAMSHIRE	Middle Rasen
	Worksop	Market Rasen
WEST RIDING OF THE COUNTY OF YORK	Ordsall	Buslingthorpe
Penistone	Clarlborough	Wickenby
Silkstone	Sturton-le-Steeple	Snelland
Tannersley	Bole	Scothern
Ecclesfield	Saundby	Barlings
Sheffield	Beckingham	Reepham
Handsworth	South Leverton	Cherry Willingham
Rotherham	North Leverton	St. Mary-le- Wigford
Beighton	Treswell	St. Mark
Todwick		St. Botoph
Treeton	LINCOLNSHIRE	} City of Lincoln
South Anston	Gainsborough	
Thorpe Salvin	Blyton-cum-Wharton	
Adwick-upon-Dearne	Northorpe	Boultham
Barnby Don	Kirton-in-Lindsey	Skellingthorpe
Conisborough	Hibaldstowe	Torksey
Darfield	Scawby-cum-Sturton	Frodingham
	Bigby	
		COUNTY OF THE CITY OF CHESTER
		St. Oswald

A.D. 1888.

THE SECOND SCHEDULE.

Parishes in which the superfluous lands of the Cheshire Lines Committee are situate :

LANCASHIRE	CHESHIRE	Cheshire— <i>cont.</i>
Manchester	Mottram in Longdendale	Frodsham
Eccles	Stockport	Thornton-in-the-Moors
Flixton	Cheadle	Barrow
Warrington	Bowdon	Plemstall
Prescot	Mobberley	St. Oswald
Childwall	Knutsford	
Toxteth Park	Great Budworth	
(extra parochial)	Weaverham	COUNTY OF THE CITY OF CHESTER
Liverpool	Delamere	
Walton-on-the-Hill	Tarvin	St. Oswald
Sefton		

THE THIRD SCHEDULE.

Parishes in which the superfluous lands of the Sheffield and Midland Railway Companies Committee are situate :

DERBYSHIRE	CHESHIRE	LANCASHIRE
Glossop	Stockport	Manchester
		Prescott
		Childwall

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