



ANNO VICESIMO & VICESIMO PRIMO -

# VICTORIÆ REGINÆ.

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## *Cap. xcvi.*

An Act to empower the *Stockport, Disley, and Whaley Bridge* Railway Company to extend their Railway to *Buxton*, and for other Purposes connected with their Undertaking.

[27th July 1857.]

**W**HEREAS by "The *Stockport, Disley, and Whaley Bridge* Railway Act, 1854," a Company was incorporated by the Name of "The *Stockport, Disley, and Whaley Bridge* Railway Company" (herein-after called "the Company") for the Purpose of making a Railway from the *London and North-western* Railway near *Stockport* to *Disley* and *Whaley Bridge*, all in the County of *Chester*, with a Capital of One hundred and fifty thousand Pounds, divided into Shares of Twenty Pounds each, and with Power to borrow Fifty thousand Pounds on Mortgage or Bond, and by that Act the Company were authorized to take Tolls at the Rates therein mentioned for the Use of the Railway by that Act authorized, and of Carriages and Engines belonging to them, and the Company and the *London and North-western* Railway Company were empowered to enter into Agreements for the Use and working by the last-named Company of all or any Part of the Railway by that Act authorized, and the Use of the Works and Conveniences belonging thereto, and for other Purposes incidental to such working and Use: And whereas

17 & 18 Vict.  
c. cc.

[Local.]

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by



Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.18 & 19 Vict.  
c. cxxx.

by "The *Stockport, Disley, and Whaley Bridge* Railway Act, 1855," the Company were empowered to make a Junction Railway from and out of the authorized Line of their Railway, to join the *Cromford and High Peak* Railway, and that Junction Railway was declared to be Part of the Undertaking of the Company, in the same Manner as if the same had originally formed Part thereof, and by the Act now in recital the *London and North-western* Railway Company were empowered and the *Cromford and High Peak* Railway Company were required to contribute towards the Undertaking of the Company: And whereas the Construction of a Railway (herein-after called "the *Buxton* Extension") from the said Junction Railway to the Town of *Buxton* in the County of *Derby* would be of public and local Advantage, and it is expedient that the Company should be authorized to construct the *Buxton* Extension, and to raise Money for that Purpose: And whereas the Extent of Railway belonging to the Company will be greatly increased by the Construction of the *Buxton* Extension, and it is expedient that such of the Tolls by the firstly-recited Act granted as are fixed with reference to the total Length of the original Line should be altered, and that the Provisions of that Act with respect to Tolls should, as regards the Classification of certain Articles, and in other Particulars in which those Provisions are inconsistent or defective, be amended: And whereas it is expedient that the Clauses of the firstly-recited Act, with reference to Agreements between the Company and the *London and North-western* Railway Company, should be extended to the *Buxton* Extension: And whereas it is expedient that the *London and North-western* Railway Company and the *Manchester, Sheffield, and Lincolnshire* Railway Company should be empowered to contribute towards the *Buxton* Extension: 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:

Short Title.

I. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*Stockport, Disley, and Whaley Bridge* Railway Extension Act, 1857."

8 & 9 Vict.  
cc. 18. & 20.  
incorporated.

II. "The *Lands Clauses Consolidation* Act, 1845," and "The *Railways Clauses Consolidation* Act, 1845," shall (save in so far as the Provisions of those Acts are varied or excepted by this Act) be incorporated with and form Part of this Act.

Same Meaning  
to Words  
in incorpo-

III. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned shall in this Act have



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have the same respective Meanings, unless other Meanings be assigned to them by this Act, or there be in the Subject or Context something repugnant to or inconsistent with such Construction.

rated Acts  
as in this  
Act.

IV. In construing this Act the following Words and Expressions shall (except where there may be in the Subject or Context something repugnant to or inconsistent with such Construction) have the respective Meanings herein-after assigned to them ; (that is to say,)

Interpreta-  
tion of  
Terms.

The Word "Persons" shall include Corporations ;

The Word "Goods" shall include Merchandise, Wares, Commodities, Articles, Matters, and Things of all Kinds ;

The Expression "the original Line" shall mean the Railway by the firstly herein-before recited Act authorized ;

The Expression "the Junction Railway" shall mean the Railway by the secondly herein-before recited Act authorized :

The Expression "the *Buxton* Extension" shall mean the Railway by this Act authorized to be constructed, and herein described ;

The Expression "the *North-western* Company" shall mean the *London and North-western* Railway Company ;

The Expression "the *Manchester* Company" shall mean the *Manchester, Sheffield, and Lincolnshire* Railway Company ;

The Expression "the Two Companies" shall mean the *North-western* Company and the *Manchester* Company.

V. And whereas Plans and Sections of the proposed Railway showing the Lines and Levels thereof, 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 which may be required to be taken for the Purposes thereof, have been deposited with the respective Clerks of the Peace for the Counties of *Chester* and *Derby* : Therefore, subject to the several Powers of Deviation, and other Powers, Provisions, and Restrictions herein and in the said incorporated Acts contained, it shall be lawful for the Company to execute the said proposed Railway in the Lines 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 to enter upon, purchase, take, and use such of the said Lands as shall be necessary for such Purposes.

Railway to  
be made  
according to  
deposited  
Plans.

VI. The Railway by this Act authorized, and herein referred to as "the *Buxton* Extension," shall commence from and out of the Line of the Junction Railway in the Parish of *Taxal* in the County of *Chester*, and terminate in the Town of *Buxton* in the Parish of *Hope* in the County of *Derby*.

Description  
of Line.

VII. Subject to the Provisions contained in "The Railways Clauses Consolidation Act, 1845," with respect to crossing Roads on the Level, it shall be lawful for the Company, if they think fit, to carry the

Certain Road  
may be cross-  
ed on the  
Level.

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the *Buxton* Extension across and on the Level of the Roads which on the Plans deposited for the Purposes of this Act are respectively numbered 258 in the Parish of *Chapel-en-le-Frith* and 153 in the Parish of *Hope*, but not more than a double Line of Rails shall be laid by the Company across either of the said Roads.

Company to erect Station or Lodge at Point of crossing.

VIII. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain a Station or Lodge at the Point where the said Railway shall cross on the Level the before-mentioned Roads, and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect or at all Times to maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have incurred.

Board of Trade may require Bridge instead of level Crossing.

IX. The Board of Trade may, if it shall appear to them necessary for the public Safety, at any Time, either before or after the Railways hereby authorized to be made across any Road on the Level shall have been completed and opened for public Traffic, require the Company, within such Time as the said Board of Trade shall direct, and at the Expense of the Company, to carry the before-mentioned Roads either under or over the Railway by means of a Bridge or Arch, instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the Board of Trade the best adapted for removing or diminishing the Danger arising from such level Crossings.

Inclinations of certain Road.

X. As regards the several Roads next herein-after mentioned, the Company may make those Roads respectively, when altered for the Purposes of this Act, of any Inclinations not steeper than the respective Inclinations herein-after mentioned in connexion with those Roads; (that is to say,

## BUXTON EXTENSION.

Number of Road on Plans deposited for the Purposes of this Act.	Parish in which the Road is shown on those Plans.	Description of Road.	Intended Inclination of Road.
51	Chapel-en-le-Frith -	Public Highway	1 in 12
254	Chapel-en-le-Frith -	Turnpike Road	1 in 15
258	Chapel-en-le-Frith -	Public Highway	1 in 15 and 1 in 5½
286	Chapel-en-le-Frith -	Public Highway	1 in 15
153	Hope - - -	Public Highway	1 in 6

XI. Subject



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XI. Subject to the Provisions herein-after contained, the Company may make the Arches of the Bridges for carrying the Railway over the Roads next herein-after mentioned of any Height and Span, not less than the respective Heights and Spans herein-after mentioned in connexion with those Roads respectively; (that is to say,) Dimensions of Bridges.

Number of Road on Plans deposited for the Purposes of this Act.	Parish in which Road is shown on those Plans.	Description of Road.	Height.	Span.
72	Hope - - -	Turnpike Road	15 Feet	35 Feet.
51	Chapel-en-le-Frith	Public Highway	14 Feet	20 Feet.
174	Chapel-en-le-Frith	Public Highway	15 Feet	20 Feet.
169	Hope - - -	Public Highway	15 Feet	20 Feet.

XII. The Railway by this Act authorized shall be carried over the *Cromford and High Peak* Railway by means of a Bridge, and the Width of the Arch shall be such as to leave thereunder a clear Space of Twenty-four Feet, and the clear Height of the Arch from the upper Surface of the Rails of the *Cromford and High Peak* Railway to the under Side of the Arch shall not (except with the Consent in Writing of the *Cromford and High Peak* Railway Company under their Common Seal) be less than Thirteen Feet Six Inches for the full Space of Twenty-four Feet, and the Bridge and Works connected therewith, and any Alterations of the *Cromford and High Peak* Railway, and the Levels thereof, shall be designed, executed, repaired, and maintained to the reasonable Satisfaction of the Engineer for the Time being of the said *Cromford and High Peak* Railway Company, and in such Manner as not to damage, endanger, or in anywise interfere with the free, safe, and uninterrupted working and Use of or Passage along the said *Cromford and High Peak* Railway, or the Works connected therewith: Provided always, that so far as may be necessary for the Purpose of giving that Height of Thirteen Feet Six Inches, the *Cromford and High Peak* Railway Company shall allow the Company to lower that Part of the *Cromford and High Peak* Railway which is between the *Peak Forest* Canal and the Junction with the *Stockport, Disley, and Whaley Bridge* Railway (subject to the Provisions herein-after contained for the Protection and Indemnity of the *Cromford and High Peak* Railway Company), and the Company shall render the *Cromford and High Peak* Railway, and the Stationary Engine thereon, and all Approaches thereto and Communications therewith from any Collieries, Works, or Lands as available for the Purposes of Traffic, Communication, and Access as before such Interference; or in case the same shall be less convenient for the Purposes of Traffic, Communication, or Access, then the *Cromford and High Peak* Railway Company shall be entitled to receive Compensation from the Company in respect of any Damages they may incur or be

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subject



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subject to in consequence of such Alteration, such Compensation to be settled in case of Dispute in manner provided by "The Lands Clauses Consolidation Act, 1845."

Company not to take Property of Cromford and High Peak Railway Company or interfere with their Railway or Works.

XIII. Notwithstanding anything in this Act contained, it shall not be lawful for the Company, or for any Person under or in execution of this Act, except as and to the Intent expressly authorized by the Provisions last aforesaid, either permanently or temporarily to enter upon, take, or use, except with the Consent in Writing of the said *Cromford and High Peak* Railway Company, any of the Land or Property of the said *Cromford and High Peak* Railway Company, or which they have now Power to take under their Act of Parliament, or in any way to alter, vary, or interfere with the said *Cromford and High Peak* Railway, or any of the Works appertaining thereto which are authorized by such Act, and no more of the Land or Property of the *Cromford and High Peak* Railway Company shall be taken under or for the Purposes of this Act, except so much as shall be necessary for the Purpose of carrying the Railway hereby authorized over the *Cromford and High Peak* Railway.

Penalty in case of Obstruction or Injury of the Works of the Cromford and High Peak Railway.

XIV. If by reason of any of the Works of the Company the *Cromford and High Peak* Railway, or any of the Works connected therewith, shall be injured or damaged, such Injury or Damage shall be forthwith made good by the Company at their own Expense, or in the event of their failing so to do, then the said *Cromford and High Peak* Railway Company may make good the same, and recover the Expense thereof against the Company in any Court of competent Jurisdiction; and if any Interruption shall be occasioned to the Traffic on the *Cromford and High Peak* Railway by reason of any of the Operations of the Company, the Company shall pay the *Cromford and High Peak* Railway Company, as or by way of liquidated Damages, the Sum of Twenty Pounds *per* Day for every Day during which such Interruption shall continue, and shall in addition repay to the said last-mentioned Company all Costs and Expenses to which they may be put by reason of such Interruption; and the Company shall indemnify and save harmless the *Cromford and High Peak* Railway Company from any Loss or Damages which may arise to any Owner or Occupier of Lands or Collieries, Trader, or Carrier by reason of any such Interruption.

Saving Rights of the Cromford and High Peak Railway Company.

XV. Except as by this Act and the Acts therein recited expressly provided, nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, abridge, or in any way affect any of the Rights, Privileges, Powers, or Authorities vested in the *Cromford and High Peak* Railway Company, nor shall anything in this Act contained be construed to impede or prevent that Company from improving their Line of Railway.

XVI. And



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XVI. And whereas it is intended, under the Authority of this Act, to carry the Extension Railway over and across the *Manchester and Buxton* Turnpike Road (herein-after called the Turnpike Road) at Two several Points in the Township of *Fernlie* in the Parish of *Hope* and County of *Derby*, and it is expedient to make Provision with reference thereto: Therefore such several Crossings shall be effected by means of good and substantial Bridges of Stone, Brick, Iron, or Timber over the said Turnpike Road, and the clear Carriageroad and Footpath at the Sides thereof under such Bridges shall not be less than the present Width of such metalled Road and Footpath as now exist at such several Points of crossing, except with the Consent of the Trustees of the said Road, and except with such Consent, the under Side of the Arch or Beam of each of the said Bridges shall not be less than Sixteen Feet above the present or altered Surface Level of the Crown of the said Turnpike Road for a Space of not less than Twelve Feet where the same shall be crossed by the Railway, and at the Crossing at or near the Sixth Furlong of the First Mile, marked on the said deposited Plans, the Company shall tail out the Slopes at the Junction with the said Road at the last-mentioned Point to a Distance not less than One Chain beyond the Point shown upon the deposited Section of the Extension Railway.

Mode of crossing Manchester and Buxton Road.

XVII. The Company shall and they are hereby required, at their own Expense, from Time to Time and at all Times to maintain and keep in good, safe, and sufficient Order, Repair, and Condition the said Bridges, and the supporting or Wing Walls and other Works in connexion with the same, and the retaining or supporting Walls, and the Slopes of all Embankments and Cuttings or Excavation to be made, formed, or constructed by the said Company on either Side of the said Turnpike Road whereon the said Company shall divert, alter, or interfere with the said Turnpike Road.

Company to keep Bridge, &c. in repair.

XVIII. If any Obstruction shall be occasioned to the Traffic upon the said Turnpike Road, either in the Execution of the Works by this Act authorized or consequent thereon, or by any Landslips from any Cuttings in the said Turnpike Road diverted by the Company in the Execution of this Act, or the falling down of any retaining Walls erected by the Company for the Support of any Part of the Road so altered or diverted, or by the same being allowed to fall into Decay, the Company shall forthwith, at their own Expense, remove such Obstruction, and make good any Damage or Injury done to the said Road, or, in default thereof, shall pay to the Trustees of the said Turnpike Road the Sum of Ten Pounds for every Day during which such Obstruction shall continue.

Obstructions on Roads to be removed under Penalty.

XIX. The Company shall and they are hereby required to make and form at each of the said several Points or Places where the said Railway

As to making Drains at the Crossings of



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the Manchester and Buxton Turnpike Road.

Railway crosses the said Turnpike Road, or where the said Road shall be altered or diverted by the said Company, such and so many Main or other Drains, Sewers, Culverts, or Watercourses as shall be necessary well and effectually to drain and carry off the Surface Water from the said Turnpike Road and Bridges respectively, such Drains, Sewers, Culverts, and Watercourses to be made by and at the Expense of the Company, in such Manner and at such Places and of such Capacity as shall be agreed on between the Company and the Trustees of the said Turnpike Road, and to be from Time to Time and at all Times for ever hereafter kept open, cleansed, and maintained in good and sufficient Order, Repair, and Condition by and at the Expense of the Company; and in case any Dispute or Difference shall arise between the Company and the said Trustees as to the Number, Place, or Capacity, or the Mode or Manner of laying, making, or constructing the said Drains, Sewers, Culverts, or Watercourses, or as to the keeping open, cleansing, or Maintenance of the same, or as to any other Matter or Thing respecting the same, then and in every such Case the same shall be referred to Arbitration in the Manner provided by "The Lands Clauses Consolidation Act, 1845."

As to the Diversion of the Manchester and Buxton Turnpike Road.

XX. Every Diversion and Alteration of the said Turnpike Road shall be made and formed of the full available Width of the said Turnpike Road at the Point or Places at which such Diversions or Alterations are severally intended to be made, and no Part of the said Road, when so diverted or altered as aforesaid, nor any Junctions of such Diversions or Alterations respectively with the present Line of the said Turnpike Road, shall be of less Radius than Seventy-seven Yards without Consent, and the Gradients of the said Road, when diverted or altered as aforesaid, shall not be steeper than they are at present, and the said Diversions or Alterations shall be made and formed, and for One Year after the Completion thereof maintained and kept in good Order, Repair, and Condition, by and at the Expense of the Company, to the Satisfaction of the Surveyor for the Time being of the said Turnpike Road.

Company to erect Screens in certain Places.

XXI. The Company shall and they are hereby required, wherever the centre Line of the said Railway shall approach within Fifty Yards of the said Turnpike Road, to make and form and for ever thereafter maintain at the Expense of the Company, either at the Side of the said Turnpike Road or of the said Railway (as the Case may be), such and so many Screens as shall be by the said Trustees of the said Turnpike Road considered necessary for the due Protection of the Public, such Screens to be made of Stone, Timber, or sodded Mound, at the Option of the Company, and of such Height as shall from Time to Time be agreed on between the said Company and the said Trustees, and if any Dispute or Difference shall arise between  
the



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the said Company and the said Trustees with respect to the Height, Form, or Extent of or in any other Way relating to such Screens, then and in every such Case the same shall be referred to Arbitration in the Manner provided by "The Lands Clauses Consolidation Act, 1845."

XXII. And whereas it is proposed for the Purposes of the Railway by this Act authorized to divert or alter in the Parish of *Chapel-en-le-Frith* and the Extra-parochial Place of *Peak Forest*, or One of them, the Line or Course of the *Peak Forest* Tramway belonging to the *Manchester, Sheffield, and Lincolnshire* Railway Company, and it is expedient to provide for the proper Construction of the proposed Diversion or Alteration of the said Tramway, and against the Interruption of the Traffic thereof: Therefore the Company shall make such Diversion or Alteration in such Manner as, in case of Difference between them and the *Manchester, Sheffield, and Lincolnshire* Railway Company, shall be settled by Arbitration in the Manner provided by "The Railways Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration: Provided, that such Diversion or Alteration shall be of One uniform Rate of Inclination from the Point of Divergence from the existing Tramway to the Point where it shall again unite therewith, and such diverted or altered Line of Tramway shall, when completed, be vested in and belong to the *Manchester, Sheffield, and Lincolnshire* Railway Company, as Part of the *Peak Forest* Tramway: Provided also, that the Company shall not in any way alter or interfere with the existing *Peak Forest* Tramway until they shall have completed and made ready for opening the new or substituted Portion of Tramway, and shall not do any Act, Matter, or Thing whereby the Traffic along the Tramway shall be in any way impeded.

For Protection of Peak Forest Tramway.

XXIII. If by reason of the Execution of the Works by this Act authorized, or otherwise in the Execution of the Powers of this Act, the Passage along the *Peak Forest* Tramway, or any Part thereof, shall be so obstructed or interrupted as that the Traffic thereof shall be substantially impeded, then and in every such Case the Company shall pay to the *Manchester, Sheffield, and Lincolnshire* Railway Company the Sum of Twenty-five Pounds as and for ascertained Damages for every Day during which any and every such Obstruction or Interruption shall continue.

Penalty for impeding Traffic on Peak Forest Tramway.

XXIV. And whereas by the Act of the Thirty-fourth Year of the Reign of King *George* the Third (Local and Personal), Chapter Twenty-six, Provision is made for preventing Injury or Damage to the Owners or Occupiers of Mills and Millsteads upon the Rivers or Brooks near the Line of the Canal or Cut by that Act authorized,

For Protection of certain Brooks and Streams.

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and for such Purpose certain Obligations, Restrictions, Powers, and Authorities were imposed upon and granted to the Company of Proprietors of the *Peak Forest Canal* by that Act incorporated, and such Obligations, Restrictions, Powers, and Authorities have since been transferred under Act of Parliament to the *Manchester, Sheffield, and Lincolnshire Railway Company*: And whereas the Railway by this Act authorized may cross in the Parish of *Chapel-en-le-Frith* certain Brooks, Streams, and Feeders known respectively as the *Millowners Feeder Course*, *Coomb's Brook*, *Pyegrave Brook*, the *Old Brook Course*, and *Marsh Brook*, or some of them, the Flow of Water through which Brooks, Streams, and Feeders it is necessary should remain, as far as practicable, unaltered and unaffected for the Purposes of the said Act of the Thirty-fourth *George the Third*: And whereas the said Railway will also cross in the Parish of *Hope* in Two Places the Feeders communicating between the Reservoir in the Parish of *Chapel-en-le-Frith*, known as *Coomb's Reservoir*, and the *Peak Forest Canal*, and it is necessary to make Provision for protecting the same, and the Flow of Water therein: Therefore the Company shall not, in constructing their Railway or any Works connected therewith, alter or divert further than may be absolutely necessary the Course of the said Brooks, Streams, and Feeders, or any of them, and the Company shall construct and at all Times hereafter maintain such Culverts and other Works as may be necessary for the full and free Flow under the Railway of the Waters of the said Brooks, Streams, and Feeders, or such of them as may be crossed by the Railway; and in case of any Difference between the Company and the *Manchester, Sheffield, and Lincolnshire Railway Company* in reference to any such Diversion or Alteration, or to any such Culvert or other Work, the same shall be settled by Arbitration in the Manner provided by "The Railways Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration; and the *Manchester, Sheffield, and Lincolnshire Railway Company* shall at all Times have free Access across the said Railway, and otherwise, to such Culverts and Works for all such Purposes as they from Time to Time shall deem necessary in reference to such Culverts and Works.

Powers for compulsory Purchases limited.

XXV. The Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for the Completion of Works.

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

XXVII. The



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XXVII. The Company may purchase by Agreement, and not compulsorily, for extraordinary Purposes, as defined in "The Railways Clauses Consolidation Act, 1845," any Quantity of Land not exceeding Ten Acres, in addition to the Lands which they are by the recited Acts authorized to purchase.

Lands for extraordinary Purposes.

XXVIII. 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, a Sum of Sixteen thousand and twenty-one Pounds Seven Shillings and Twopence Stock in the Three Pounds *per Centum* Consolidated Bank Annuities, purchased for the Sum of Fifteen thousand Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the *Buxton* Extension, has been transferred in the Books of the Bank of *England* into the Name of the Accountant General of the Court of Chancery in *England*, in respect of the Application to Parliament for this Act: Therefore, notwithstanding anything contained in the said recited Act, the said Sum of Stock so transferred as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Stock, 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 said Company shall, previously to the Expiration of the Period by this Act limited for the Completion of the said Railway, either open the *Buxton* Extension 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 said Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares for the Purposes of the *Buxton* Extension, and have expended for the Purposes of the *Buxton* Extension a Sum equal in Amount to such One Half of that Capital, and if the Period by this Act limited for the Completion of the said Railway shall expire before the said Company shall either have opened the *Buxton* Extension for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Stock transferred as aforesaid, and the Interest and Dividends thereof, shall, immediately from and after the Expiration of the said Period, be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be standing 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 Fifteen thousand Pounds

Security for Completion of the *Buxton* Extension within Time limited.



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Pounds shall have been executed by the said 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 Sum of Fifteen thousand Pounds if the said Company shall not, within the Period by this Act limited for the Completion of the said Railway, either open the *Buxton* Extension for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the said Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares for the Purposes of the *Buxton* Extension, and have expended for the Purposes of the *Buxton* Extension a Sum equal in Amount to such One Half of that Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Stock, and the Interest or Dividends thereof, shall be transferred and 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, or the Executors or Administrators of such Survivor, 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 Moneys to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Stock, 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.

Certain Sections of 17 & 18 Vict. c. cc. relating to Tolls repealed.

XXIX. The Sections of "The *Stockport, Disley, and Whaley Bridge* Railway Act, 1854," numbered from Forty-six to Fifty-three, inclusive of both those Numbers, being the Sections relating to Tolls, shall be and the same are hereby repealed: Provided always, that such Repeal shall not in anywise release, discharge, diminish, prejudice, defeat, or obstruct any Tolls or Sums of Money due to the Company at the passing of this Act under or by virtue of those Sections, or the Right of the Company to or their Remedies for the Recovery of any such Tolls, but such Tolls may be claimed and recovered as if this Act were not passed.

Power to take Tolls.

XXX. It shall be lawful for the Company to demand any Tolls not exceeding the following; (that is to say,)

In respect of the Tonnage of all Articles conveyed on their Railways, or on any Part thereof, and included within the following Classes:

Class



*Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.*

Class 1. For all Compost, Dung, and all Sorts of Manure, Lime, and Limestone, and all undressed Materials for the Repair of Roads or Highways, *per Ton per Mile* not exceeding for the Use of the Railway One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Halfpenny:

Class 2. For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all other Stones, all Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron, and Iron Castings not manufactured into Utensils or other Articles of Merchandise, *per Ton per Mile* not exceeding for the Use of the Railway One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Halfpenny:

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per Ton per Mile* not exceeding for the Use of the Railway Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings; and if drawn or propelled by an Engine belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Halfpenny:

Class 4. For all Cotton and other Wools, Drugs, manufactured Goods, and other Wares, Merchandise, Fish, Articles, Matters, or Things, *per Ton per Mile* not exceeding for the Use of the Railway Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding One Penny; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding One Halfpenny:

Class 5. For every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, not exceeding for the Use of the Railway Sixpence *per Mile*; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per Mile* not exceeding Twopence; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Mile* not exceeding Twopence; and for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton beyond One Ton which any such Carriage may weigh,



Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.

an additional Sum not exceeding One Fourth of the Amount payable in respect of the First Ton.

In respect of Animals conveyed in Carriages upon their Railways, or any Part thereof, as follows :

Class 6. For every Horse, Ass, or other Beast of Draught or Burden conveyed in or upon any such Carriage, *per* Mile not exceeding for the Use of the Railway Threepence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if such Carriage be drawn or propelled by an Engine belonging to the Company, a further Sum *per* Mile not exceeding One Halfpenny;

Class 7. For every Ox, Cow, Bull, or Head of Neat Cattle conveyed in or upon any such Carriage, not exceeding Twopence *per* Mile for the Use of the Railway; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny; and if such Carriage be drawn or propelled by an Engine belonging to the Company, a further Sum *per* Mile not exceeding One Halfpenny:

Class 8. For every Calf or Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile not exceeding for the Use of the Railway One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per* Mile not exceeding One Farthing.

In respect of Passengers conveyed in Carriages upon their Railways, or any Part thereof, as follows :

For every Person conveyed in or upon any such Carriage, *per* Mile not exceeding for the Use of the Railway Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if drawn or propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Penny.

Maximum  
Tolls for  
Passengers.

XXXI. The maximum Rates of Charges to be made by the Company for the Conveyance of Passengers upon their Railways, including the Tolls for the Use of the Railway, and for Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums :

For every Passenger conveyed in a First-class Carriage the Sum of Threepence *per* Mile :

For every Passenger conveyed in a Second-class Carriage the Sum of Twopence *per* Mile :

For every Passenger conveyed in a Third-class Carriage the Sum of One Penny *per* Mile.

XXXII. The



*Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.*

XXXII. The maximum Rate of Charge to be made by the Company for the Conveyance of any Animals, Carriages, or Goods comprised in either of the Eight Classes herein-before specified, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the Amounts herein-after limited; (that is to say,)

Maximum  
Tolls for  
Goods.

For Goods comprised in Class 1, except as herein-after mentioned,  
Twopence *per Ton per Mile*:

For the following Goods comprised in Class 1, namely, Lime and Limestone, if conveyed upon the original Railway and the Junction Railway for a Distance exceeding Nine Miles, and delivered to the Company either alone or with other Goods in Train Loads of not less than One hundred Tons, and in Waggons not belonging to but to be approved by the Company, the Sum of One Penny *per Ton per Mile*:

For Goods comprised in Class 2, Twopence Halfpenny *per Ton per Mile*:

For Goods comprised in Class 3, Threepence *per Ton per Mile*:

For Goods comprised in Class 4, Fourpence *per Ton per Mile*:

For any Carriage comprised in Class 5, not weighing more than One Ton, Sixpence *per Mile*; and if weighing more than One Ton, not exceeding Sixpence *per Mile* for the First Ton, and One Penny Halfpenny *per Mile* for every Quarter of a Ton or fractional Part of a Quarter of a Ton beyond the First Ton:

For every Animal comprised in Class 6, Fourpence *per Mile*:

For every Animal comprised in Class 7, not exceeding Twopence Halfpenny *per Mile*:

For every Animal comprised in Class 8, One Penny *per Mile*.

XXXIII. The following Provisions and Regulations shall be applicable to the fixing of the said Tolls and Rates of Charge; (that is to say,)

Regulations  
respecting  
Tolls.

For Persons, Animals, or Goods conveyed for a less Distance than Four Miles the Company may demand Tolls and Charges as for Four Miles:

With respect to Passengers, any Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles shall be deemed One Mile:

For a Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles, the Company may, in respect of Animals and Goods, demand Tolls and Charges for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and in that respect a Fraction of a Quarter of a Mile shall be deemed a Quarter of a Mile:

For



Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.

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

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight :

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

For calculating Tolls on Junction Railway for through Traffic.

XXXIV. And whereas the Length of the Junction Railway is One Quarter of a Mile or thereabouts, constructed almost entirely upon Viaduct, and the actual Cost has, owing to unforeseen Difficulties, greatly exceeded the estimated Cost of its Construction, and it is anticipated that its Maintenance and Repair will be unusually expensive : And whereas the Existence of the said Viaduct materially facilitates the Construction of the *Buxton* Extension : Therefore, for all Traffic passing to or from the original Line over the said Viaduct from or to the *Buxton* Extension, the Company may, in respect of the Junction Railway, take Tolls and Rates of Charge as for Three Quarters of a Mile.

Tolls for small Parcels and single Articles of great Weight.

XXXV. With respect to small Packages and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand any Tolls not exceeding the following ; (that is to say,)

For Parcels not exceeding Seven Pounds in Weight, any Sum not exceeding Fourpence :

For Parcels exceeding Seven Pounds and not exceeding Fourteen Pounds in Weight, any Sum not exceeding Eightpence :

For Parcels exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, any Sum not exceeding One Shilling and Fourpence :

For Parcels exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, any Sum not exceeding Two Shillings :

For Parcels exceeding Fifty-six Pounds and not exceeding One hundred and twelve Pounds in Weight, any Sum not exceeding Two Shillings and Fourpence :

And for Parcels exceeding One hundred and twelve Pounds and less than Five hundred Pounds in Weight, the Company may demand any Sum which they think fit :

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal,



*Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.*

Meal, and the like, shall not be deemed small Parcels, but such Terms shall apply only to single Parcels in separate Packages :

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber, Stone, or Iron, or other single Article, the Weight of which, including the Carriage, shall not exceed Eight Tons, the Company may demand any Sum not exceeding for the Use of the Railway Sixpence *per Ton per Mile*; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per Mile* not exceeding Twopence; and if drawn or propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Twopence :

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

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

Passengers  
Luggage.

XXXVII. The Restrictions as to the Tolls and Charges for Passengers shall not extend to any Special Train that may be required to be run upon the Railways of the Company (in respect of which the Company may make such Charges as they think fit), but shall apply only to the Ordinary and Express Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the said Railways.

Special  
Trains.

XXXVIII. This Act or anything herein contained shall not prevent the Company from taking any increased Charges over and above the Tolls and Charges by this Act limited for the Conveyance of Animals or Goods of any Description by Agreement with the Owners or Persons in charge of such Animals or Goods, either by reason of any special Service performed by the Company in relation thereto, or in respect to the Conveyance of any Animals or of any Goods (other than small Parcels) by Passenger Trains, or in respect of the Conveyance of small Parcels by Express Trains.

Power to  
take extra  
Tolls by  
Agreement.

XXXIX. The Clauses and Provisions of "The *Stockport, Disley, and Whaley Bridge* Railway Act, 1854," numbered from Fifty-four to Fifty-nine, inclusive of both those Numbers (being the Clauses relating to Agreements between the *North-western* Company and the

Certain  
Provisions of  
17 & 18 Vict.  
c. cc. as to  
Traffic Ar-

[*Local.*]

16 *N*

Company,



Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.

arrangements  
extended.

Company, for the Use and working of the Railway), shall extend and apply to the *Buxton* Extension, and to any Agreements with reference to the Use and working of the *Buxton* Extension or any Part thereof, and either apart from the original Line and the Junction Line or any Part thereof, or together with the original Line and the Junction Line or any Part thereof, as fully and effectually as those Clauses and Provisions now extend or apply to the original Line and any Agreements for the Use and working thereof.

As to Buxton  
Extension  
Capital.

XL. The *Buxton* Extension shall, for financial Purposes, form a distinct Undertaking separate from the original Line and the Junction Line, and the additional Capital of the Company for the Purposes of the *Buxton* Extension shall be Two hundred thousand Pounds, and the Company may from Time to Time raise, by the Creation and Issue of new Shares, any Sum not exceeding in the whole the Amount of the said additional Capital.

Attributes of  
such new  
Shares.

XLI. The new Shares so from Time to Time created shall be called, and the Certificates for the same shall be marked "*Stockport, Disley, and Whaley Bridge Railway (Buxton Extension) Shares,*" and those Shares may be of such Amounts, and may be either of One Class or of different Classes, and may be appropriated and disposed of in such Manner and to such Persons as the Company may think fit.

Calls.

XLII. One Fourth of the Amount of any Share issued under the Authority of this Act shall be the greatest Amount of any One Call thereon, and Three Months at the least shall be the Interval between successive Calls; and the aggregate Amount of Calls to be made in any One Year on any such Share shall not exceed Three Fifths of the total Amount thereof.

Qualifica-  
tions of new  
Share-  
holders.

XLIII. Subject to the Provisions of this Act restricting the Rights of voting of Holders of *Stockport, Disley, and Whaley Bridge Railway (Buxton Extension) Shares* on certain Questions, all new Shares issued under the Powers of this Act of the Amount of Twenty Pounds each, shall confer on the respective Holders thereof the same Qualifications and Rights of voting as the now existing Shares in the Capital of the Company, and all new Shares of any other Amount shall confer on the respective Holders thereof Qualifications and Rights of voting in proportion to the aggregate nominal Value of such new Shares held by them respectively, and not in proportion to the Number of or the Amount paid on such new Shares; and for the Purposes of Qualifications and Rights of voting, every entire Sum of Twenty Pounds of such aggregate nominal Value held by the same Person shall be considered as equivalent to One Share of Twenty Pounds, and no Holder of new Shares issued under the Powers of this Act shall



Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.

shall have any Qualification or Right of voting in respect of any Number of new Shares constituting in aggregate nominal Value any Fraction of Twenty Pounds.

XLIV. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

Subscription Contract to be valid.

XLV. When the whole of the additional Share Capital of the Company by this Act authorized to be raised for the Purposes of the *Buxton* Extension is subscribed for and One Half thereof is paid up, the Company from Time to Time, with the Authority of any General Meeting, may borrow on Mortgage of the *Buxton* Extension, and the Tolls arising thereon, (and if so agreed,) the future Calls on the *Stockport, Disley, and Whaley Bridge* and Railway (*Buxton* Extension) Shares, any Sums not exceeding in the aggregate Sixty-six thousand six hundred Pounds.

Power to borrow on Mortgage of *Buxton* Extension Tolls

XLVI. All Moneys which the Company are by this Act authorized to raise, either by new Shares or by borrowing, for the Purposes or on the Security of the *Buxton* Extension, shall be applied only to the Purposes of the *Buxton* Extension.

Application of Moneys raised under this Act.

XLVII. The Clauses and Provisions of "The Companies 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 the Means of enforcing the Payment of Calls, with respect to the Forfeiture of Shares for the Nonpayment of Calls, with respect to the borrowing of Money by the Company on Mortgage or Bond, with respect to the Conversion of borrowed Money into Capital, with respect to the Consolidation of the Shares into Stock, and with respect to the making of Dividends, shall be incorporated with this Act, and shall respectively apply to all Shares and Capital created for the Purposes of the *Buxton* Extension, and to all Mortgages granted and Moneys borrowed on the Security of the *Buxton* Extension under the Powers of this Act; and in those Clauses and Provisions, as incorporated with this Act, the Expression the "Special Act" shall mean this Act, the Expression "the Undertaking" shall mean the *Buxton* Extension, the Word "Shareholder" shall mean Shareholder in the *Buxton* Extension, the Expression "the Company" shall mean the *Stockport, Disley, and Whaley Bridge* Railway Company, and the Expression "the Capital" and "the Capital of the Company" respectively shall mean the additional Capital by this Act authorized to be raised

Certain Provisions of 8 & 9 Vict. c. 16. incorporated.



Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.

raised for the Purposes of the *Buxton* Extension, and the several Words and Expressions to which by "The Companies Clauses Consolidation Act, 1845," Meanings are assigned and to which other Meanings are not assigned by this Act, shall in those incorporated Clauses and Provisions have the respective Meanings so assigned to them.

Rights of  
Holders of  
Shares in the  
*Buxton* Ex-  
tension.

XLVIII. The Holders of *Stockport, Disley, and Whaley Bridge* Railway (*Buxton* Extension) Shares shall in respect thereof be entitled to Interest or Dividend out of the net Profits of the *Buxton* Extension only, exclusive of the Income and Profits of the original Line and the Junction Railway, and shall not (in respect thereof) be entitled to vote either as Directors or Shareholders on any Question affecting the original Line or the Junction Railway exclusively of the *Buxton* Extension.

Rights of  
Holders of  
other Shares.

XLIX. The Holders of Shares in the Company created or to be created under the Powers of the recited Acts shall not in respect of such Shares be entitled to vote either as Directors or Shareholders on any Question affecting the *Buxton* Extension exclusively of the original Line and the Junction Railway, nor be entitled to any Interest or Dividend out of the net Profits of the *Buxton* Extension, but the net Profits of the *Buxton* Extension, so far as the same may be applicable to Dividends, shall be paid and divided to and among the Holders of the *Stockport, Disley, and Whaley Bridge* Railway (*Buxton* Extension) Shares.

Rights of  
Mortgagees  
of *Buxton*  
Extension.

L. The Money to be borrowed under the Powers of this Act on the Security of the *Buxton* Extension shall be borrowed on Mortgages only, which Mortgages, and all Renewals thereof, shall include and be expressed to include only the *Buxton* Extension, and the Tolls arising thereon, and also (if so agreed) the future Calls to be made on the *Stockport, Disley, and Whaley Bridge* Railway (*Buxton* Extension) Shares, and shall be styled and marked "*Stockport, Disley, and Whaley Bridge* (*Buxton* Extension) Mortgages," and the Holders of any such Mortgages or Renewals shall not, in respect thereof, have any Right over or Claim upon the original Line or the Junction Railway, or any Part thereof, or the Income or Profits thereof respectively.

Rights of  
existing  
Mortgagees.

LI. The Holders of any Mortgages, Bonds, or Securities (original or renewed) granted or to be granted under the Powers of the recited Acts shall not, in respect of such Mortgages, Bonds, Securities, or Renewals, have any Right over or Claim upon the *Buxton* Extension, or the Income and Profits thereof, or the Calls to be made on the *Stockport, Disley, and Whaley Bridge* Railway (*Buxton* Extension) Shares.

LII. The



Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.

LII. The Company shall keep separate Accounts of all Receipts and Payments from, for, or on account of the *Buxton* Extension, and shall out of those Receipts in the first place pay the working Expenses of the *Buxton* Extension.

Separate  
Accounts to  
be kept.

LIII. The *North-western* Company (with the Sanction of Three Fifths at least of the Votes of the Shareholders in that Company present, personally or by Proxy, at some General Meeting of that Company specially convened for the Purpose of authorizing such Subscription) and the *Manchester* Company (with the like Sanction on the Part of the Shareholders in that Company) may respectively from Time to Time subscribe towards and take Shares in the Undertaking and Capital of the Company, exclusive of the *Buxton* Extension, and the Capital to be raised for the Purposes thereof, to any Extent not exceeding in the whole, as regards the *North-western* Company, Sixteen thousand Pounds (in addition to their Powers of Subscription to the Undertaking of the Company under the recited Acts), and as regards the *Manchester* Company, Five thousand Pounds; and the Two Companies respectively (with the like Sanction on the Part of their respective Shareholders) may also from Time to Time subscribe towards and take Shares in the *Buxton* Extension, and the Capital to be raised for the Purposes thereof, to any Extent not exceeding in the whole, as regards the *North-western* Company One hundred and five thousand Pounds, and as regards the *Manchester* Company, Thirty-five thousand Pounds.

Powers of  
Subscription  
by other  
Companies.

LIV. The Two Companies respectively may pay the Amount of their respective Subscriptions and the Calls upon their respective Shares, or such Sums as they may think fit to advance to the Company in anticipation of Calls, or any Parts of those Amounts respectively, by and out of any Moneys which the Two Companies respectively have raised or are authorized to raise by Shares or borrowing under the Provisions of any Acts relating to those Companies respectively, and which may not be required for the Purposes of those Acts, and that notwithstanding any Restriction of the Application of such Moneys in those Acts respectively contained.

Subscribing  
Companies  
may apply  
Funds.

LV. The Directors of every Company taking Shares and becoming Shareholders under the Powers of this Act may from Time to Time, so long as such Company shall continue Shareholders under the Powers of this Act, appoint any Person (whether himself a Shareholder in the Undertaking or any Part of the Undertaking of the Company or not) to vote at any Meeting of the Company in respect of such Shares on behalf of the Company by whose Directors he shall have been appointed, and may from Time to Time revoke any such Appointment and appoint any other Person in that Behalf, and the Person so

Subscribing  
Companies  
may appoint  
Persons to  
vote.

Mode of  
Appoint-  
ment and  
Revocation.



*Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.*

for the Time being appointed shall, during his Appointment, have the same Right of voting at any such Meeting as he would have if he held in his own Right the Shares for the Time being held under the Powers of this Act by the Company appointing him, and that in addition to any Right of voting to which he may be entitled in his own Right: Provided always, that every such Appointment and Revocation shall be under the Seal of the Company on whose Behalf the same is made, or under the Hand of the Chairman for the Time being of the Directors of that Company.

Arrange-  
ment be-  
tween Com-  
pany and  
Manchester  
Company for  
joint Use of  
Part of Line.

LVI. The Company and the *Manchester* Company may from Time to Time enter into and carry into effect any Contracts or Arrangements with respect to the joint Use and working by the *Manchester* Company and the Company of the Portion of the *Buxton* Extension between *Doveholes* and *Buxton*, and the Works and Conveniences belonging thereto, the joint Management, Maintenance, and Repair of the aforesaid Portion of the *Buxton* Extension, Works, and Conveniences, and the vesting of the Rights, Powers, and Privileges of the Company over the same, or in reference thereto, in the joint Committee herein-after mentioned, or in the Company and the *Manchester* Company jointly, the Costs and Expenses of the aforesaid Portion of the *Buxton* Extension, and of such working, Management, Maintenance, and Repair, and of effecting the other Objects of the Contract, the fixing, Collection, Application, Division, and Apportionment between the contracting Companies of the Tolls arising from the Traffic conveyed by them respectively over the aforesaid Portion of the *Buxton* Extension, subject to any Deductions to be made therefrom, the Payment or Deduction of any periodical Remuneration or other Consideration to be paid by either of those Companies to the other of them by virtue of such Contract, and the Application to the Purposes of such Contract of all or any Part of the Sums which the *Manchester* Company may pay or may have paid towards or on account of their Subscription of Thirty-five thousand Pounds by this Act authorized.

Contract not  
to affect Per-  
sons not Par-  
ties thereto.

LVII. No such Contract shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the contracting Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Contract, be entitled to the Use and Benefit of the Portion of Railway to which the same may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Contract had been entered into.

LVIII. No



Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.

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

Contract inoperative until approved by Meeting of Shareholders.  
Meeting how to be convened.

LIX. Any such Contract may be varied or determined by Consent of all the Parties thereto; but any such Variation or Determination shall not operate or take effect until approved by the Board of Trade and by a Majority of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a Meeting of each Company being a Party to the Contract so to be varied or determined.

Contracts may be varied or rescinded.

LX. The contracting Companies may by any Contract made under the Powers of this Act appoint a joint Committee, composed of such Number of the respective Directors of those Companies as those Companies may think proper, and from Time to Time may alter, vary, and renew any such Committee as Occasion may require, and may regulate the Proceedings of such Committee, and delegate to such Committee all such Powers of the contracting Companies respectively as may be necessary for carrying into effect the Purposes of such Contract; and every such joint Committee so appointed shall have and may exercise the Powers so for the Time being delegated to them, in like Manner as the same might have been had and exercised by the contracting Companies respectively, or their respective Directors.

Appointment of joint Committee for carrying Contract into effect.

LXI. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of Calls made in respect of the Shares held by him in the Capital by this Act authorized to be created: Provided always, that the Company may pay to any such Shareholder such Interest on Money advanced by him beyond the Amount of Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

No Interest or Dividend to be paid on Calls paid up.

LXII. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised for the Purpose of such Act or Acts, pay or deposit any Sum of Money which, by any Standing

Deposit for future Bills not to be paid out of



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*Stockport, Disley, and Whaley Bridge Railway Extension Act, 1857.*

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Company's  
Capital.

Standing Order of either House of Parliament for the Time being 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 Railway or to execute any other Work or Undertaking.

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

LXIII. Nothing in this Act shall exempt the Railway or the Company from the Provisions of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present 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, or of the Tolls for small Parcels, authorized by this Act.

Expenses of  
Act.

LXIV. All Costs, Charges, and Expenses of and attending the passing of this Act, or incidental thereto, shall be paid by the Company.

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