



CHAPTER cxiv.

An Act to confer further powers on the Manchester Sheffield and Lincolnshire Railway Company in connection with their Undertaking and the Undertakings of other Companies in which they are jointly interested and to authorise the Manchester South Junction and Altrincham Railway Company to construct a Railway and other works and for other purposes. A.D. 1891.
[21st July 1891.]

WHEREAS it is expedient that the Manchester Sheffield and Lincolnshire Railway Company (hereinafter called the Company) be authorised to purchase by compulsion or agreement for the general purposes of their undertaking the lands and buildings hereinafter described or referred to and to exercise the other powers by this Act conferred upon the Company and to raise and apply further capital for the purposes of this Act :

And whereas it is expedient that the Manchester South Junction and Altrincham Railway Company (hereinafter called the Altrincham Company whose undertaking is the joint property of the Company and the London and North-western Railway Company) be authorised to construct and maintain in connection with their undertaking the railway and widening of railway by this Act authorised to be constructed by them and to purchase by compulsion or agreement for the purposes of that railway and widening of railway lands houses and buildings and to raise and apply further capital for those purposes :

And whereas it is expedient that the Committee (hereinafter referred to as the Macclesfield Committee) incorporated under the Macclesfield Bollington and Marple Committee Act 1871 and consisting of representatives of the Company and the North¹Staffordshire Railway Company should be empowered to enter upon use and hold the lands hereinafter in that behalf mentioned and shown on the

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A.D. 1891. deposited plans referred to in this Act for the general purposes of the undertaking of the Macclesfield Committee :

And whereas it is expedient that the Company should be empowered to enter into and carry into effect an agreement with the mayor aldermen and burgesses of the borough of Great Grimsby (hereinafter referred to as the corporation of Great Grimsby) acting as the town council or as the urban sanitary authority of that borough for the payment by the Company of a sum of money or contribution towards the cost and expenses of the construction of a new road intended to be made by that corporation in the parish of Great Grimsby in the county of Lincoln and that the Company should be authorised on that new road being completed to stop up a portion of a certain public footpath and road in the parish of Great Grimsby which cross the railways of the Company and of the Great Northern Railway Company on the level :

And whereas it is expedient that further provision be made respecting the holding and disposal of lands belonging to the Cheshire Lines Committee and the Wigan Junction Railways Company respectively :

And whereas the Grimsby hotel (hereinafter referred to as the hotel) was some years since erected on lands belonging to the Company adjoining their docks at Grimsby the capital required for erecting and carrying on the business of the hotel having been raised in shares by a company incorporated for that purpose under the name or style of the Grimsby Hotel Company Limited (hereinafter referred to as the hotel company) :

And whereas it is in the interests of the Company that the hotel should become their property and that they should be authorised to carry on the business of the hotel and with that intent the whole of the shares in the hotel company have been lately purchased and acquired by the Company and transferred to several individuals as trustees for the Company and the whole of the shares in the hotel company now stand in the names of nominees of the Company the full ad valorem stamp duty on the transfers of such shares having been paid thereon and it is expedient that the purchase of the said shares on behalf of the Company should be confirmed and that the lands buildings property and effects of the hotel company with power to carry on the business of the hotel should be vested in the Company for all the estate and interest of the hotel company therein and that the hotel company should be dissolved :

And whereas it is expedient to make further and better provision for the conduct of the business of the several hotels and refreshment

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bars of the Company and to confer further powers on the Company in connection therewith: A.D. 1891.

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1888 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 construction and completion of the railways and works authorised by that Act should be extended:

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway Act 1890 for the compulsory purchase of lands and buildings for the purposes of the works described in section 4 of the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1885 should be further extended:

And whereas it is expedient that the time limited by the Manchester Sheffield and Lincolnshire Railway (New Railways) Act 1888 for the compulsory purchase of lands and buildings for the purposes of the railways numbered 1, 2, 3, 4 and 5 and described in section 5 of that Act should be extended:

And whereas it is expedient that the Company should be authorised to raise and contribute a sum of money towards the funds and capital of the Wrexham Mold and Connah's Quay Railway Company (hereinafter called the Wrexham Company) for the general purposes of the undertaking of that Company:

And whereas it is expedient that the Company should be empowered to subscribe towards the undertaking of the Wrexham and Ellesmere Railway Company (hereinafter called the Ellesmere Company) authorised by the Wrexham and Ellesmere Railway Act 1885:

And whereas it is expedient that the Company on the one hand and the Ellesmere Company on the other hand should be empowered to enter into and carry into effect contracts and agreements as hereinafter mentioned:

And whereas it is expedient that the Company should be empowered to subscribe a further sum of money to the undertaking of the Liverpool Saint Helen's and South Lancashire Railway Company and to enter into and carry into effect agreements with that Company with regard thereto:

And whereas it having been found impracticable to carry into effect the provisions of sub-section 2 of section 36 of the Blackpool Railway Act 1884 it is expedient that so much of that sub-section as requires the railway therein mentioned to be constructed wholly

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A.D. 1891. on the west side of the station of the West Lancashire Railway
Company should be repealed :

And whereas plans and sections showing the lines and levels of the railways and works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands houses and other property required or which may be taken for the purposes thereof and plans of other lands by this Act authorised to be taken compulsorily with like books of reference thereto so far as those documents relate to lands in each county or division were duly deposited with the respective clerks of the peace for the counties of Lancaster Lincoln Derby Chester and the West Riding of the county of York and are herein respectively referred to as the deposited plans sections and books of reference :

And whereas the objects aforesaid cannot be attained 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.

1. This Act may be cited for all purposes as the *Manchester Sheffield and Lincolnshire Railway (Various Powers) Act 1891.*

Incorporation of general Acts.

2. The Lands Clauses Acts the Railways Clauses Consolidation Act 1845 and Part I. (relating to the construction of a railway) Part II. (relating to extension of time) and Part III. (relating to working agreements) of the Railways Clauses Act 1863 are except where expressly varied by this Act incorporated with and form part of this Act.

Extending certain provisions of Companies Clauses Acts.

3. The clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to—
The distribution of the capital of the Company into shares ;
The transfer or transmission of shares ;
The payment of subscriptions and the means of enforcing the payment of calls ;
The forfeiture of shares for non-payment of calls ;
The remedies of creditors of the Company against the shareholders ;
The borrowing of money by the Company on mortgage or bond ;
The conversion of the borrowed money into capital ;
The consolidation of the shares into stock ;
The general meetings of the Company and the exercise of the right of voting by the shareholders ;

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The making of dividends ;

The giving of notices ; and

The provision to be made for affording access to the special Act by all parties interested :

And Parts I. II. and III. of the Companies Clauses Act 1863 relating respectively to the cancellation and surrender of shares to additional capital and to debenture stock ;

are (except where expressly varied by this Act) incorporated with and form part of this Act and shall apply to the Company and to the Altrincham Company and to the capital by this Act authorised to be raised by them respectively.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to or inconsistent with such construction and in and for the purposes of this Act the expression "the railway" means the railway widening of railway and works by this Act authorised to be made by the Altrincham Company and the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Interpreta-
tion of
terms.

5. Subject to the provisions of this Act the Altrincham Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections relating thereto the railway and widening of railway hereinafter in this section described with all necessary and convenient stations sidings approaches roads junctions works and conveniences connected therewith and may enter upon take and use such of the lands delineated on those plans and described in the deposited books of reference relating thereto as may be required for that purpose The railway and widening of railway hereinbefore in this section referred to and authorised by this Act are—

Power to
Altrincham
Company to
make rail-
way and
widening of
railway.

Railway (No. 2) 4 furlongs 1 chain in length wholly in the township of Stretford commencing by a junction with the railway of the Cheshire Lines Committee and terminating by a junction with the railway of the Altrincham Company ;

The widening and improvement of so much of the railway of the Altrincham Company as lies between the south-western end of the platforms of the Cricket Ground Station at Stretford aforesaid on that railway and the junction of the

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Garston and Warrington Branch of the London and North-western Railway with the railway of the Altrincham Company at Timperley in the parish of Bowden in the county of Chester.

Height of bridge.

6. The Altrincham Company may make the arch of the bridge for the widening of the railway over the road next hereinafter mentioned of any height not less than the height hereinafter mentioned in connection therewith (that is to say):—

No. on deposited Plan.	Parish.	Description of Road.	Height.
22	Manchester	Public	11 feet 11 inches

For the protection of the Manchester Carriage and Tramways Company.

7. If during the work of constructing or maintaining the proposed tunnel under Chester Road at Old Trafford on the easterly side of the present existing tunnel it should be necessary or expedient temporarily to remove or interfere with the working of the tramways of the Manchester Carriage and Tramways Company (in this section hereinafter referred to as "the tramways company") which pass along the said road or any part thereof the Company shall to the reasonable satisfaction of the tramways company or their engineer for the time being construct and maintain so long as occasion may require a temporary tramway or temporary tramways in lieu of the tramways or part of a tramway so removed or the working of which has been so interfered with so that at all times during the progress of such works the tramcars of the tramways company may pass and repass along the said road without any interruption and the Company shall during the progress of and until the completion of such works provide such lighting and watching as may be necessary to prevent accident to all persons and vehicles using the existing or temporary tramways and on the completion of such works the tramways company may at the expense of the Company restore the said tramways and so much of the said road as they are by section 28 of the Tramways Act 1870 liable to maintain as may be disturbed by the Company in the exercise of the powers of this Act to as good a state and condition as the same were in before the commencement of such works and the Company shall recoup and indemnify the tramways company against all sums costs and expenses which they may be put to in such restoration and the tramways company may recover from the Company all claims sums damages loss costs and expenses as in this

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section mentioned together with full costs of suit in any court of competent jurisdiction. A.D. 1891.

8. For the protection of the Stretford Local Board (in this section called "the local board") the following provisions with respect to the powers by this Act conferred upon the Altrincham Company within the district of the local board shall have effect:— For the protection of the Stretford Local Board.

- (1) Before interfering with any existing sewer or drain the Company shall to the reasonable satisfaction of the local board and at the cost of the Company and in accordance with plans and sections to be previously submitted to and reasonably approved of by the local board construct a sufficient substituted sewer or drain and connect the same sewer or drain so interfered with:
- (2) Before the Company obstruct any street or road they shall to the reasonable satisfaction of the local board and at the cost in all things of the Company provide and thenceforth until such obstruction shall be removed maintain proper accommodation for the traffic thereof and access to houses and property therein with proper fences and lights:
- (3) Any street the surface of which shall be disturbed by the Company shall be restored to the reasonable satisfaction of the local board and at the cost in all things of the Company.

9. In executing the powers of this Act the following provisions for the protection of the mayor aldermen and citizens of the city of Manchester in the county of Lancaster (hereinafter referred to as "the corporation") shall apply and have effect (that is to say):— For the protection of the corporation of Manchester.

- (1) The following special provisions shall have effect in relation to the construction by the Altrincham Company of Railway No. 2 by this Act authorised:—
 - (A) Before any works of the Altrincham Company affecting the exercise of the rights and powers of the corporation for the construction of their main outfall sewer in the township of Stretford or the construction or the maintenance thereof or any works connected therewith shall be commenced by the Altrincham Company a plan and section showing the intended works of the Company in relation to the said outfall sewer and works of the corporation shall be furnished to the corporation for the sanction and approval of the surveyor of the city of Manchester for the time being (hereinafter referred to as "the city surveyor") who shall thereupon specify and describe the works requisite to be executed by the Altrincham Company for the protection of the said outfall

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sewer and works and for enabling the same to be constructed and maintained and the works of the Altrincham Company shall be executed in accordance with such requirement and not otherwise. The Altrincham Company shall at their own expense continue under the full width of the said Railway No. 2 and any abutments or arches thereof a protecting arch over the said outfall sewer and works similar in all respects to the protecting arch shown upon the plans and sections annexed to the agreement relating to the said outfall sewer and works made between the Altrincham Company of the one part and the corporation of the other part bearing date the tenth day of December one thousand eight hundred and ninety. Any additional cost to which the corporation may be put in the construction of the said outfall sewer and works in consequence of the works of the Altrincham Company by this Act authorised shall be paid to the corporation by the Altrincham Company in accordance with the certificate of the city surveyor and all works which the Altrincham Company are hereby required to construct shall be maintained by them at their cost ;

(B) Where the said railway and works connected therewith pass under or through the road numbered on the deposited plans 15 in the township of Stretford the Altrincham Company shall make such provision as shall be required by the corporation for enabling the corporation at any time hereafter to lay an eighteen inch water pipe along such road by providing a depth of not less than two feet nine inches between the surface of the said road and the underside of the said waterpipe :

(2) The following special provisions shall have effect in relation to the widening and improvement of the railway of the Altrincham Company :—

Where the railways and works connected therewith pass under or through the road numbered on the deposited plans 8 in the township of Stretford the Altrincham Company shall if required so to do by the corporation at their own cost construct and maintain along one side of the bridge carrying that road over the existing railway of the Company and also over the said widening and improvement at such a height above the said existing railway and the said widening and improvement as not to obstruct the working thereof all such works as shall to the reasonable

satisfaction of the city surveyor be necessary for carrying the water pipes of the corporation over the said existing railway and the said widening and improvement Provided always that such pipe does not exceed two feet in external diameter :

- (3) Nothing in this Act contained shall prejudice or affect any right or interest of the corporation in the occupation road and public footpath numbered 2 on the deposited plans in the parish of Ashton-under-Lyme :
- (4) The Altrincham Company shall be responsible for any accident or damage which may either during the progress of the works of the Altrincham Company or at any time thereafter be caused by the bursting breaking or leakage of any sewer or any main or water or gas pipe of the corporation under over or adjacent to the railways and widenings by this Act authorised providing such accident or damage be caused by the works of the Altrincham Company :
- (5) In the construction of the works authorised by this Act the Altrincham Company shall at their own cost construct maintain and provide all such appliances works and arrangements as the city surveyor shall reasonably deem necessary and requisite for preventing or diminishing the risk of injury to the Altrincham Company's line and works and persons and property thereon which might arise from any bursting leakage or escape of sewage storm-water water or gas from any sewer main pipe or other work now or hereafter belonging to the corporation Provided always that the Altrincham Company shall not be required to construct or provide any such appliances works or arrangements beyond the limits of land taken by the Altrincham Company or under or over which rights may be acquired by the Altrincham Company by virtue of the powers conferred by this Act :
- (6) Whenever in execution of the powers in this Act contained it shall be necessary to alter or interfere with or disturb whether temporarily or otherwise any of the gas water or other main pipes or apparatus belonging to the corporation such alteration in the position or otherwise of any gas water or other main pipe or apparatus together with any additional works necessary for the effectual continuance of the supply of gas or water shall be carried out by and under the direction of the corporation but at the expense in all respects of the Altrincham Company And if it shall be found necessary to fix any syphon in connection with any gas mains or pipes the Altrincham Company

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shall from time to time on demand pay the costs incurred by the corporation in providing the same and in the working repairing cleansing and maintaining of such syphon :

- (7) All and singular the sum and sums of money herein provided to be paid by the Altrincham Company to the corporation may be recovered by the corporation as a simple contract debt in any court of competent jurisdiction :
- (8) If any question or difference shall at any time arise between the corporation and the Altrincham Company touching or concerning any requirements of the city surveyor or any question shall arise between the Altrincham Company and the corporation touching any plans or specifications or any works in this section provided to be executed or maintained by the Altrincham Company or as to the reasonableness or sufficiency thereof or in reference to the bursting leakage or escape of sewage storm-water water or gas from any sewer pipe or other work of the corporation occasioned by the works of the Altrincham Company by this Act authorised or by any acts or omission of the Altrincham Company in connection therewith such difference shall be settled and determined by the engineer of the Altrincham Company and the city surveyor or failing agreement by an engineer to be appointed by the president for the time being of the Institution of Civil Engineers on the application of either party whose decision shall be final and conclusive on the parties.

Power to
Company to
acquire
lands for
general
purposes.

10. 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 hereinafter mentioned and delineated on the deposited plans and described in the deposited books of reference relating thereto (that is to say) :—

Certain lands houses and buildings situate in the parish of Manchester in the county of Lancaster in Deansgate Gaythorn Street Hewitt Street and Chester Road in Manchester aforesaid lying and abutting on the Manchester South Junction and Altrincham Railway at or near to the Knott Mill Station on that railway ;

Certain other lands houses and buildings situate in the parish of Great Coates in the county of Lincoln adjoining and abutting upon the foreshore of the River Humber and belonging or reputed to belong to Sir Richard Francis Sutton Baronet ;

Certain other lands houses and buildings situate in the parishes of Great Grimsby Little Coates and Great Coates aforesaid in the county of Lincoln forming part of the foreshore of the River

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Humber and adjoining and abutting upon the north-eastern side on lands belonging or reputed to belong to the Company and the said Sir Richard Francis Sutton Baronet;

Certain other lands houses and buildings situate in the parish of Doncaster in the West Riding of the county of York abutting upon the south side of the railway of the Company leading from Barnsley to Doncaster and adjoining and on the east and west sides of the high road leading from Balby to Hexthorpe;

Certain other lands houses and buildings situate in the parish of Ashton-under-Lyne in the county of Lancaster adjoining and on the north side of the main line of the railway of the Company near to the Fairfield Station on that railway and east and west of Booth Road bridge;

Certain other lands houses and buildings situate on the east side of Broome Lane in the township of Levenshulme in the parish of Manchester in the county of Lancaster abutting on the north and south sides of the Manchester Central Station Branch of the railway of the Company now in course of construction;

Certain other lands houses and buildings situate in the township of Gorton in the parish of Manchester in the said county of Lancaster abutting upon the southern side of the railway of the Company near to the Gorton Station and adjoining the Stockport Branch of the Manchester and Ashton Canal;

Certain other lands houses and buildings situate in the hamlet of Hadfield in the parish of Glossop in the county of Derby adjoining and abutting upon the south-east side of the Waterside Branch Railway of the Company and belonging or reputed to belong to Lord Howard of Glossop and his trustees:

Provided always that the Company shall not without the consent of the corporation of Manchester in any part or to any extent whatever stop up obstruct or interfere with any public street road or footpath in the city of Manchester:

Provided further that the powers in this Act contained for acquiring the lands in the parish of Doncaster in this section mentioned shall not in any way prejudice or affect any rights conferred upon the South Yorkshire Junction Railway Company under the South Yorkshire Junction Railway Act 1890 in respect of those lands.

11. Whereas the lands in the last preceding section described as being situate in the parish of Manchester in Deansgate Gaythorn Street

Certain
lands not to
be acquired

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without
consent of
the Altrin-
cham Com-
pany.

Hewitt Street and Chester Road in Manchester are required for the improvement and enlargement of the Knott Mill Station of the Altrincham Company whose undertaking is the joint property of the Company and the London and North-western Railway Company in equal shares. Be it therefore enacted that the Company shall not purchase or acquire the said lands or any part thereof without the consent in writing of the Altrincham Company under their common seal nor shall the said lands or any part thereof be used for any other purpose than the enlargement or improvement of the said station or otherwise in connection with the undertaking of the Altrincham Company.

For the
protection
of the
company of
proprietors
of the
Rochdale
Canal.

12. Notwithstanding anything in this Act contained the Company shall not under the powers of this Act except with the previous consent in writing of the Company of Proprietors of the Rochdale Canal (hereinafter called "the Canal Company") under their common seal take use enter upon or interfere with the canal works lands or property at any time belonging to or in the possession or under the power of the Canal Company.

For the
protection
of the
trustees of
the Sutton
Estates.

13. Notwithstanding anything in this Act contained or shown on or in the deposited plans sections or books of reference the following provisions in this section contained for the protection of the trustees of the Sutton Estates and all other persons now or hereafter beneficially or otherwise entitled thereto (all which trustees and other persons are hereinafter referred to as the owners of the Sutton Estates) shall have effect:—

- (1) The Company shall not take use or otherwise interfere with the occupation road numbered 6 and 2 on the deposited plans in the parish of Great Coates and numbered 2 on the deposited plans in the parish of Little Coates in the county of Lincoln:
- (2) The Company shall erect and for ever afterwards maintain a good and sufficient fence along the north side of the said occupation road:
- (3) The Company shall not take (under the powers of this Act) except by agreement with the owners of the Sutton Estates any of the lands of the Sutton Estates contained or shown on the deposited plans or books of reference numbered 1 and 2 in the said parish of Little Coates and 1 2 4 6 and 9 in the said parish of Great Coates.

Power to
Macclesfield
Committee
to acquire

14. Subject to the provisions of this Act the Macclesfield Committee may enter upon take and use for the general purposes of their undertaking all or any of the following lands and houses

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delineated on the plans and described in the deposited books of reference relating thereto (that is to say):—

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Certain lands and buildings in the township of Marple in the parish of Stockport in the county of Chester abutting upon the west side of the railway of the Committee and near to Rose Hill Station.

lands for
general
purposes.

15.—(1.) The Company and the Altrincham Company respectively shall not under the powers of this Act or under the powers of any former Act extended by this Act purchase or acquire 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 next before the passing of this Act or of the respective former Act by which such purchase or acquisition was originally authorised as the case may be were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

Restrictions
on displac-
ing persons
of labouring
class.

(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 respective fifteenth day of December aforesaid 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.

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(4.) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme 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 High Court.

(5.) If the Company or the Altrincham 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 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.

(6.) For the purpose of carrying out any scheme under this section the Company and the Altrincham Company respectively 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 and the Altrincham Company respectively for the purposes of any scheme under this section in the same manner in all respects as if the Company and the Altrincham Company respectively 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 and the Altrincham Company respectively 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 respectively be authorised to raise or apply for the general purposes of their respective undertakings :

Provided that all lands on which any buildings have been erected or provided by the Company and the Altrincham Company

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respectively 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 such 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. A.D. 1891.

(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 and the Altrincham Company respectively for the purpose of any scheme under this section.

(9.) The Local Government Board may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(10.) The Company and the Altrincham Company respectively 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.) Any houses on any of the lands shown on the deposited plans occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company or the Altrincham Company and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Local Government Board under the powers of any previous Act relating to the Company or the Altrincham Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses

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at the date of their acquisition Provided that if the Local Government Board is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Local Government Board they might have been sufficient to accommodate.

(12.) For the purposes of this section 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.

Power to apply corporate funds to purposes of Act.

16. 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 for the Company to raise additional capital.

17. In addition to such share capital as the Company are for the time being independently of this Act authorised to raise they may from time to time raise such additional capital as they think requisite for the purposes of this Act not exceeding the sum of fifty thousand pounds and for the general purposes of their undertaking and for the purpose of their contribution towards the undertakings of which they are joint owners not exceeding the sum of one hundred thousand pounds.

Mode of raising additional share capital.

18. The additional share capital by this Act authorised to be raised by the Company shall be raised by the issue of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively as the Company from time to time think fit.

Shares not to be issued till one-fifth part thereof shall have been paid.

19. The Company shall not issue any share created under the authority of this Act of less nominal value than ten pounds nor shall any share or stock vest in the person or corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share or the whole of such stock shall have been paid in respect thereof.

New shares or stock to be subject to the same

20. The capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers

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provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital.

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incidents as
other shares
or stock.

21. If any money is payable to a holder of shares or stock in the Company being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt
clause in
case of
persons not
sui juris.

22. The Company may in respect of the additional capital which they are by this Act authorised to raise from time to time borrow on mortgage of their undertaking any sum not exceeding in the whole fifty thousand pounds but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted and one-half of such capital is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for so much of such capital as is to be raised by shares have been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one-half of so much of such additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also so far as the said additional capital is raised by shares that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Power to
Company to
borrow.

23. All mortgages or bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and bonds and subject to the provisions of the Acts under which those mortgages and bonds were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section shall affect any priority

Existing
mortgages
to have
priority.

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A.D. 1891. of the interest of any debenture stock at any time created and issued by the Company.

Repealing provisions of former Acts with respect to appointment of a receiver.

24. Every provision in any Act passed before the present session of Parliament whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a receiver for enforcing payment by the Company of arrears of interest or principal or principal and interest shall be and the same is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such provision.

Appointment of a receiver.

25. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

Power to create debenture stock.

26. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

27. All moneys which the Company may raise under the powers of this Act whether by shares stock debenture stock or borrowing shall be applied for the purposes of this Act and the general purposes of the Company being in every case purposes to which capital is properly applicable.

Altrincham Company may apply funds to purposes of this Act.

28. The Altrincham Company may apply for or towards the purposes of the railway and widening of railway by this Act authorised to be constructed by them being in all cases purposes to which capital is properly applicable any moneys which they now have in their hands or which they have power to raise and which are not by any Act relating to that Company made applicable to any special purpose or which being so made applicable are not required for the special purpose.

Power for the Altrincham Com-

29. In addition to such share capital as the Altrincham Company are for the time being independently of this Act authorised to raise

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they may from time to time raise such additional capital as they think requisite for the purposes of the railway and widening of railway which they are by this Act authorised to construct being in all cases purposes to which capital is properly applicable not exceeding the sum of two hundred thousand pounds :

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pany to raise
additional
capital.

And the said additional capital shall be contributed by the London and North-western Railway Company and the Company in equal proportions.

30. The powers of the Company and of the Altrincham Company respectively for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for
the com-
pulsory
purchase of
lands.

31. If the Altrincham Company fail within the period limited by this Act to complete the railway which they are hereinbefore authorised to construct the Altrincham Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the works and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in respect of the railway in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank specified in such warrant or order and shall not be paid thereout except as hereinafter provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Altrincham Company was prevented from completing or opening the railway by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Imposing
penalties
unless
railway
opened
within
the time
limited.

32. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with (or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who have

Providing
for appli-
cation of
penalties.

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been subjected to injury or loss in consequence of the compulsory powers of taking property for the purposes of the railway conferred upon the Altrincham Company and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Altrincham Company is insolvent and has been ordered to be wound up or the railway or any part thereof has been abandoned be paid to such receiver or to the liquidator or liquidators of the Altrincham Company or be applied in the discretion of the Court as part of the assets of the Altrincham Company for the benefit of the creditors thereof and subject to such application shall be repaid to the Altrincham Company.

Period for completion of works.

33. If the railway or widening of railway authorised by this Act be not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for making and completing the railway and widening of railway or otherwise in relation thereto shall cease except as to so much thereof respectively as may be then completed.

Tolls for use of railways.

34. The Altrincham Company may demand and take for the use of the railway and widening of railway by this Act authorised and for the supply of carriages wagons or trucks thereon any tolls rates and charges not exceeding those which they are for the time being empowered to demand and take in respect of their existing railways and the railway and widening of railway hereby authorised shall in all respects be deemed part of the railway of the Altrincham Company.

Power to agree with corporation of Great Grimsby as to subscription by Company to construction of new road.

35. The Company may enter into and carry into effect agreements with the corporation of Great Grimsby for the payment by the Company of a sum of money or contribution not exceeding one thousand pounds towards the cost of the construction of a new road intended to be constructed by that corporation in the parish of Great Grimsby in the county of Lincoln leading from the junction of George Street and Osborne Street to Ainslie Street.

Stopping up of footpath and road

36. Subject to the provisions of this Act and when and as soon as the new road so intended to be constructed by the corporation of

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Great Grimsby has been completed the public footpath in the parish of Great Grimsby aforesaid known as Peppercorn Crossing may be stopped up and discontinued as a public highway so far as that footpath crosses the railways of the Company and the Great Northern Railway Company on the level and also so much of a road in the parish of Great Grimsby aforesaid leading from Town Hall Square in that parish as crosses those railways on the level. A.D. 1891.
in Great Grimsby.

37. All rights of way over or along the roads footpaths level crossings or other highways or portions thereof which shall under the provisions of this Act be stopped up and all rights of way over any of the lands which shall under the compulsory powers of this Act be purchased or acquired shall be and the same are hereby extinguished. Extinguishment of rights of way.

38. The time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1888 for the completion of Railway C authorised by the Wigan Junction Railways Act 1875 is hereby further extended for three years from the sixteenth day of July one thousand eight hundred and ninety-one and that period shall for the purposes of section 42 of the Wigan Junction Railways Act 1875 be deemed to be the period originally limited by that Act for the construction and completion of that railway. Extension of time for the completion of Railway C authorised by the Wigan Junction Railways Act 1875.

39. The time limited by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1886 for the construction and completion of the railways and works described in and authorised by that Act is hereby extended for a period of three years from the twenty-fifth day of September one thousand eight hundred and ninety-one and that period shall for the purposes of section 18 of that Act be deemed to be the period originally limited by that Act. Extension of time for completion of the railways and works authorised by the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1886.

40. If the railways and works respectively mentioned in the last two 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 except as to so much thereof as shall then be completed. Powers not to be exercised after extended periods.

41. 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 the works described in and authorised by section 4 of that Act are hereby further extended and may be exercised by the Company for and Extension of time for purchase of lands under the Manchester Sheffield and Lincolnshire Railway

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(Additional Powers) Act 1885.

Extension of time for purchase of lands under the Manchester Sheffield and Lincolnshire Railway (New Railways) Act 1888.

Extending period for sale of superfluous lands of Cheshire Lines Committee.

Extending period for sale of superfluous lands of Wigan Junction Railway Company.

during a period of two years from the sixteenth day of July one thousand eight hundred and ninety-one and on the expiration of that period those powers shall cease.

42. The powers granted to the Company by the Manchester Sheffield and Lincolnshire Railway (New Railways) Act 1888 for the compulsory purchase of lands and buildings for the purposes of the railways numbered 1 2 3 4 and 5 and described in and authorised by section 5 of that Act are hereby extended and may be exercised by the Company for and during a period of two years from the fifth day of July one thousand eight hundred and ninety-one and on the expiration of that period those powers shall cease.

43. 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 First 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.

44. The Wigan Junction Railway Company may notwithstanding anything in the Lands Clauses Consolidation Act 1845 or in any Act relating to that company 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 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 that company or may in the opinion of that 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 that company shall at the expiration of such respective periods sell and absolutely dispose

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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. 1891.

45. The purchase of all shares in the hotel company made on behalf of the Company in manner hereinbefore recited and the expenditure in connection therewith already incurred by the Company are hereby sanctioned and confirmed and all the lands buildings estate property and effects of the hotel company are hereby transferred to and vested in the Company for all the estate and interest of the hotel company therein and the Company may henceforth hold enjoy and carry on the business of the hotel as part of their undertaking and the hotel company is hereby dissolved the Company being hereby made liable for all the debts liabilities and engagements of the hotel company due and incurred up to the time of the passing of this Act. Confirmation of purchase of hotel at Grimsby.

46. The Company may hold enjoy and maintain hotels and refreshment bars in connection with their several railways and may furnish stock manage and conduct such hotels and refreshment bars and the business thereof and may employ officers managers and servants therein or in connection therewith and may acquire and hold land for any of these purposes and may apply their corporate funds and revenues to any of these purposes and expenditure already incurred by the Company on capital account in or about any of the before mentioned purposes not exceeding one hundred thousand pounds is hereby sanctioned and confirmed and the Company may for all or any of these purposes appoint a committee or committees of management being directors of the Company on such terms and with such powers and duties as the Company think fit. Power to maintain hotels and refreshment bars.

47. The Company may with the authority of three-fourths of the votes of their shareholders present in person or by proxy at a general meeting of the Company specially convened for that purpose from time to time subscribe in addition to any money they are already authorised to subscribe towards the undertaking of the Wrexham Company any sums which they may think fit towards the undertaking of that company not exceeding in the whole the sum of one hundred thousand pounds and may take and hold shares in the capital of that company in respect of such subscription and may with the like authority contribute and apply in payment thereof any of the moneys which they now have in their hands or which they have power to raise by virtue of this or any other Act relating to the Company and which may not be required for the purposes to which such moneys are by any such Act made specially applicable Power to Company to subscribe to undertaking of the Wrexham Company.

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and shall in respect of the sum subscribed by the Company and the corresponding shares have all the powers rights and privileges and be subject to all the obligations and liabilities of proprietors of shares in that company Provided always that the Company shall not sell dispose of or transfer any of the shares for which they may so subscribe.

Votes of
Company at
general
meetings of
Wrexham
Company.

48. The Company whilst shareholders of the Wrexham Company may by writing under their common seal from time to time appoint some person to attend any meeting of that company and such person shall have all the privileges and powers attaching to a shareholder of that company at such meetings and may vote thereat in respect of the capital held by the Company.

Power to
Company to
subscribe to
undertaking
of Ellesmere
Company.

49. The Company may with the authority of three-fourths of the votes of their shareholders present in person or by proxy at a general meeting of the Company specially convened for that purpose from time to time subscribe towards the undertaking of the Ellesmere Company any sums which they may think fit not exceeding in the whole fifty thousand pounds and may take and hold shares in the capital of that company in respect of such subscription and may with the like authority contribute and apply in payment thereof any of the moneys which they now have in their hands or which they have power to raise by virtue of this or any other Act relating to the Company and which may not be required for the purposes to which such moneys are by any such Act made specially applicable and shall in respect of the sum subscribed and the corresponding shares have all the powers rights and privileges and be subject to all the obligations and liabilities of proprietors of shares in that company Provided always that the Company shall not sell dispose of or transfer any of the shares for which they may so subscribe.

Votes of
Company
at general
meetings of
Ellesmere
Company.

50. The Company whilst shareholders of the Ellesmere Company may by writing under their common seal from time to time appoint some person to attend any meeting of that company and such person shall have all the privileges and powers attaching to a shareholder of that company at such meetings and may vote thereat in respect of the capital held by the Company.

Power to
enter into
working
agreements
with

51. The Company on the one hand and the Ellesmere Company on the other hand may subject to the provisions of Part III. of the Railways Clauses Act 1863. as amended or varied by the Railway and Canal Traffic Acts 1873 and 1888 from time to time enter into

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and carry into effect and rescind agreements with respect to the following purposes or any of them (that is to say):—

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Ellesmere
Company.

The working management and maintenance by the Company of the railways and works of the Ellesmere Company or any part or parts thereof;

The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the railways of the contracting Companies or either of them;

The supply and maintenance under any agreement for the railways of the Ellesmere Company being worked and used by the Company of engines stock plant and machinery necessary for the purposes of any such agreement;

The fixing collection payment appropriation apportionment and distribution of the tolls rates charges income and profits arising from the railways and works of the Ellesmere Company or any part thereof;

The employment of officers and servants;

The appointment of joint committees for the purposes of any such agreements.

52. Where traffic is conveyed under the powers of this Act partly on the railway of the Company and partly on the railway of the Ellesmere Company the railway of the Company and the railway of the Ellesmere Company shall for the purposes of short distance tolls and charges leviable in respect of such traffic be considered as one railway and in estimating the amount of tolls and charges in respect of traffic conveyed under the powers of this Act partly on the railway of the Company and partly on the railway of the Ellesmere Company for a less distance than three miles tolls and charges may only be charged as for three miles and in respect of passengers for every mile or fraction of a mile beyond three miles tolls and charges as for one mile only and in respect of animals and goods for every quarter of a mile or fraction of a quarter of a mile beyond three miles tolls and charges as for a quarter of a mile only and no other short distance charge shall be made for the conveyance of passengers animals or goods under the powers of this Act partly on the railway of the Company and partly on the railway of the Ellesmere Company.

Tolls on
traffic con-
veyed partly
on railway
of Company
and partly
on the
Ellesmere
Company.

53. Nothing in any agreement made under the authority of this Act shall affect the rights of Her Majesty's Postmaster-General under the Telegraph Act 1878 to place and maintain telegraphic lines in under upon along over or across the railways and works comprised in the undertaking of the Ellesmere Company and from

Saving for
Postmaster-
General.

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A.D. 1891. time to time to alter such telegraphic lines and to enter upon the land and works comprised in such undertaking for the purposes in the Telegraph Act 1878 specified and the Postmaster-General shall after the making of any such agreement be at liberty to exercise all the rights aforesaid notwithstanding that the undertaking of the Ellesmere Company is worked by the Company as freely and fully in all respects as he was entitled to do before the making of any such agreement.

Power to
Company to
further
subscribe to
undertaking
of the Liver-
pool Saint
Helen's and
South
Lancashire
Railway
Company.

54. The Company may with the authority of three-fourths of the votes of their shareholders present in person or by proxy at a general meeting of the Company specially convened for that purpose from time to time subscribe in addition to any money they are already authorised to subscribe towards the undertaking of the Liverpool Saint Helen's and South Lancashire Railway Company any sums which they may think fit towards the undertaking of that Company not exceeding in the whole twenty thousand pounds and may take and hold shares in the capital of the Liverpool Saint Helen's and South Lancashire Railway Company in respect of such subscription upon such terms and conditions as to preferential dividend or otherwise as may be agreed upon between the Company and the Liverpool Saint Helen's and South Lancashire Railway Company and may with the like authority contribute and apply in payment thereof any of the moneys which they now have in their hands or which they have power to raise by virtue of this or any other Act relating to the Company and which may not be required for the purposes to which such moneys are by any such Act made specially applicable and shall in respect of the sum subscribed by the Company and the corresponding shares have all the powers rights and privileges and be subject to all the obligations and liabilities of proprietors of shares in that company Provided always that the Company shall not sell dispose of or transfer any of the shares for which they may so subscribe.

Votes of
Company at
general
meetings of
Liverpool
Saint Helen's
and South
Lancashire
Railway
Company.

55. The Company whilst shareholders of the Liverpool Saint Helen's and South Lancashire Railway Company may by writing under their common seal from time to time appoint some person to attend any meeting of that company and such person shall have all the privileges and powers attaching to a shareholder of that company at such meetings and may vote thereat in respect of the capital held by the Company.

Repeal of
sub-section 2
of section 36
of the Black-

56. So much of sub-section 2 of section 36 of the Blackpool Railway Act 1884 as requires the railway therein mentioned to be constructed wholly on the west side of the station of the West

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Lancashire Railway Company is hereby repealed but the Company shall not enter upon take or use any land west of the intended retaining wall shown by the red line marked "retaining wall" on a plan signed in duplicate by Hudson Reah Civil Engineer on behalf of the corporation and Alexander Ross Civil Engineer on behalf of the Company nor shall they construct any portion of the railway mentioned in sub-section 2 of section 36 of the Blackpool Railway Act 1884 or of the siding described in sub-section 5 of that section west of the said retaining wall.

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 ———
 pool Railway
 Act 1884.

57. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections 21 and 22 of the Crown Lands Act 1866 and belonging to or exercisable on behalf of Her Majesty Her heirs or successors.

Saving
 rights of
 Crown under
 Crown
 Lands Act.

58. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Interest not
 to be paid
 on calls
 paid up.

59. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking.

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

60. Nothing in this Act contained shall exempt the Company and the Altrincham Company respectively or the railway 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.

Provision as
 to general
 Railway
 Acts.

61. 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.

Costs of Act.

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A.D. 1891.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

PARISHES in which the SUPERFLUOUS LANDS of the CHESHIRE LINES
COMMITTEE are situate.

LANCASHIRE.

CHESHIRE.

Manchester

Eccles

Flixton

Warrington

Prescot

Childwall

Toxteth Park (extra-parochial)

Liverpool

Walton-on-the-Hill

Sefton

Mottram in Longendale

Stockport

Cheadle

Bowdon

Mobberley

Knutsford

Great Budworth

Weaverham

Delamere

Tarvin

Frodsham

Thornton-in-the-Moors

Barrow

Plemstall

St. Oswald

COUNTY OF THE CITY OF CHESTER

St. Oswald

THE SECOND SCHEDULE.

PARISHES in which the SUPERFLUOUS LANDS of the WIGAN JUNCTION
RAILWAYS COMPANY are situate.

LANCASHIRE.

Warrington

Winwick

Wigan

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