



ANNO SEPTIMO

GULIELMI IV. REGIS.

Cap. xxiii.

An Act to enable the North Midland Railway Company to alter the Line of the said Railway, and also to make Two Branches to communicate with the same. [5th May 1837.]

WHEREAS an Act was passed in the Sixth and Seventh Years of the Reign of His present Majesty, intituled *An Act for making a Railway from Leeds to Derby, to be called "The North Midland Railway:"* And whereas it would materially improve the said Undertaking, and render it more publicly beneficial, if Power were given to the Company incorporated by and under the said recited Act to make certain Deviations in the Line thereby authorized to be made, and also to make a Branch from and out of the said Line leading to certain Coal Fields in the Parish of *North Wingfield* in the County of *Derby*, and also if certain of the Powers and Provisions of the said recited Act were altered or amended and enlarged; but 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 King'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, That all the Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things contained in the said recited Act (except such of them or such Parts thereof respectively as are

6 & 7 W. 4.
c. 107.

Powers of
recited Act
extended to
this Act.

[Local.]

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by

by this Act repealed, altered, or otherwise provided for,) shall extend and be construed to extend to this Act, and to the several Works and Things hereby authorized or required to be made and done, and shall operate and be in force in respect of the Objects and Purposes of this Act as fully and effectually, to all Intents and Purposes whatsoever, as if the same Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things were repeated and re-enacted in this Act.

Power to alter the Line of Railway in certain Cases.

II. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to make the Alterations herein-after mentioned of or in the Line of the said Railway as authorized or directed by the said recited Act, and to make and maintain the said Railway and Works in the Line or Course, and upon, across, under, or over the Lands delineated on the Plans or described in the Books of Reference deposited as herein-after mentioned with the Clerks of the Peace for the County of *Derby* and the West Riding of the County of *York*; (that is to say,) from or near a Field in the Parish of *Duffield* in the County of *Derby*, numbered 18 on the Plan of the said Railway deposited with the Clerk of the Peace for the same County, to or near a Field in the Township of *Belper* in the same Parish, numbered 193 on the said Plan; also from or near an Occupation Road in the Parish of *South Wingfield* in the same County, numbered 20 on the said Plan, to or near the *Nottingham* and *Newhaven* Turnpike Road in the said Parish of *South Wingfield*, numbered 98 on the said Plan; also from or near a Field in the Parish of *Chesterfield* in the same County, numbered 102 on the said Plan, to or near a Field in the Parish of *Whittington* in the same County, numbered 10 on the said Plan; also from or near a Field in the Parish of *Killamarsh* in the same County, numbered 20 on the said Plan, to or near a Field in the Parish of *Aughton* otherwise *Aston-cum-Aughton* in the West Riding of the County of *York*, numbered 7 on the Plan deposited with the Clerk of the Peace for the said West Riding of the County of *York*; such several Alterations or Deviations passing from, in, through, or into the several Parishes, Townships, and Extra-parochial or other Places of *Heage*, *Duffield*, *Belper*, *Chevin*, *Chevin Ward*, *Chevin Side*, *Makeney*, *Holbrook*, *Hazlewood*, and *Milford*, *South Wingfield*, *Pentrich* otherwise *Pentridge*, *Crich*, and *Shirland*, *Chesterfield*, *Tapton*, *Newbold*, *Whittington*, and *Brimmington*, *Eckington*, *Killamarsh*, and *Beighton*, or some of them, in the County of *Derby*, and *Treeton* and *Aughton* otherwise *Aston-cum-Aughton*, or one of them, in the West Riding of the County of *York*; and all the Powers, Authorities, Privileges, and Directions which by the said recited Act are given for making and maintaining the Portion of the said original Line of Railway by this Act authorized to be abandoned shall, from and immediately after the making of the Alterations herein mentioned, cease and determine.

Power to make a Branch Railway, and to take Lands for Depôts. &c.

III. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to make and maintain the Branch Railway herein-after mentioned, with all necessary and proper Depôts, Stations, Approaches, Works, and Conveniences connected therewith, in the Line or Course, and upon, across, under, or over the Lands delineated on the Plan and described in the Books of Reference thereto, to be deposited with the Clerks of the Peace aforesaid as herein-after mentioned;

tioned; (that is to say,) commencing in or near a Field on the Line of the first-mentioned Railway in the Parish of *Chesterfield* and Township of *Hasland* in the said County of *Derby*, numbered One on the said Plan, passing from, in, through, or into the several Parishes, Townships, and Extra-parochial or other Places of *North Wingfield*, *Chesterfield*, *Hasland*, and *Tupton*, or some of them, in the said County of *Derby*, and terminating in or near certain Fields in the said Parish of *North Wingfield*, the Property of Sir *Henry John Joseph Hunloke* Baronet; and the said Company are hereby empowered to purchase and take all or any of the Lands and Buildings at the Termination of the said Railway within the several Townships of *Leeds* and *Hunslet*, or one of them, in the Parish and Borough of *Leeds* in the West Riding of the County of *York*, as are delineated on the Plans and described in the Books of Reference already deposited with the Clerks of the Peace as aforesaid, for the Purpose of making proper Depôts and Stations, and for forming Approaches thereto, and also for other Works and Conveniences connected therewith; and it is hereby expressly declared, that all Powers, Provisions, Authorities, Restrictions, and Limitations contained in the said recited Act relative to the Works thereby authorized shall extend and apply to the Works by this Act authorized.

IV. And whereas Maps or Plans describing the Line of the intended Alterations of the said Railway, and of a certain Branch Railway from the Main Line to certain Lands belonging to Sir *Henry John Joseph Hunloke* Baronet, in the Parish of *North Wingfield*, and the Lands in and through which the same respectively and the Works connected therewith were intended to be carried or made, as well as the Lands and Buildings required for the Purpose of Depôts or Stations and Approaches to the said Railway, together with Books of Reference thereto respectively, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees and Occupiers of such Lands, have been deposited in the Offices of the Clerks of the Peace for the County of *Derby* and the West Riding of the County of *York*, being the Counties within which such Alterations and Lands respectively are intended to be made or are situate: And whereas since depositing the said Maps or Plans and Books of Reference an Alteration in the Line or Course of the said Branch Railway has been agreed and determined upon, with the Consent of the Owners and Occupiers of the Lands through which such Alteration is intended to be made; be it therefore enacted, That the said Maps or Plans and Books of Reference so deposited shall remain with and be kept by the said Clerks of the Peace respectively, and that further Maps or Plans describing the altered Line of the said Branch Railway so agreed on as aforesaid, authenticated by the Right Honourable the Speaker of the House of Commons, shall, together with amended Books of Reference thereto, within Three Calendar Months after the passing of this Act, be deposited in like Manner with the said Clerks of the Peace respectively; and all Persons interested in any Manner in the Lands described in the said Plans and in the said Books of Reference so deposited and to be deposited as aforesaid shall at all seasonable Times have Liberty to inspect and to make Extracts from or Copies of the said Maps or Plans and Books of Reference respectively, paying to the Clerk of the Peace having the Custody thereof the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words copied therefrom; and

Plans deposited with Clerks of Peace to remain in their Custody, and to be open to Inspection.

and the said Maps or Plans and Books of Reference, or true Copies thereof, or of so much thereof respectively as shall relate to any Matter in question, certified by the said Clerks of the Peace or one of them, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Errors and Omissions in Act or Book of Reference not to obstruct the making of the Railway.

V. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Alterations and the said Branch Railway and other Works in the Line or Course, and upon, across, under, or over the Lands delineated on the said Maps or Plans, subject as hereinafter mentioned, and to purchase and take any of the Lands or Buildings delineated thereon for the Purpose of Depôts or Stations and Approaches to the said Railway, although such Lands or Buildings or any of them, or the Situation thereof respectively, or the Names of the Owners, Lessees, or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in the said Books of Reference or in the Schedule to this Act annexed, if it shall appear to any Two or more Justices of the Peace for the County, City, Riding, or Place wherein the Matter in question shall arise (in case of any Dispute about the same), and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of such Justice shall be deposited with and be kept by the Clerk of the Peace of the County or Riding within which the Matter in question shall arise, and shall be sufficient for all the Purposes of this Act.

Houses, Gardens, &c. not to be used unless mentioned in the Schedule.

VI. Provided also, and be it further enacted, That nothing herein contained shall authorize the said Company or any other Person acting under their Authority to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected on or before the Thirtieth Day of *November* One thousand eight hundred and thirty-six, or any Ground which was then set apart and used as a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any Ground then inclosed and planted as an Ornament or Shelter to a House, or as a Nursery for Trees, other than such as are specified in the Schedule to this Act annexed, without the Consent in Writing of the Owner and Occupier thereof respectively, unless the Omission thereof in such Schedule shall have proceeded from Mistake or Inadvertence, and unless it shall be so certified in manner herein-before provided for in Cases of unintentional Errors in the said Books of Reference.

Power to deviate from Plan to an Extent of 100 Yards.

VII. And be it further enacted, That the said Company, in making the Alterations, Branch Railway, and other Works by this Act authorized, shall have full Power to deviate from the Lines of the said Alterations, Branch Railway, and other Works, as delineated on the Maps or Plans thereof deposited and to be deposited with the several Clerks of the Peace as herein-before is mentioned: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards, or in passing through any Town to a greater Extent than Ten Yards, from the Lines so delineated on the said Plans; nor shall any such Deviation extend into the Lands of any Person whose Name is not mentioned in the said Books of Reference unless the Name of such Person shall have been omitted by Mistake or Inadvertence, and unless the Fact that such Omission proceeded from Mistake or Inadvertence shall have been certified in manner herein-before provided for in Cases of unintentional Errors in the said Books of Reference:

Reference: Provided also, that no Deviation shall be made from the Line of the said Railway in any Part thereof where by this or the said recited Act the said Company is expressly restricted from deviating: Provided also, that no Deviation shall be made from the Line of the said Railway as laid down through the Estate of the Right Honourable *Charles Herbert Earl Manvers* in the Parish of *Beighton* in the County of *Derby*, or through the Estate of *Edward Strutt, George Benson Strutt, and Joseph Strutt*, in the Parish of *Duffield* in the same County, without the Consent in Writing of the respective Owners thereof being previously obtained.

VIII. Provided always, and be it further enacted, That, notwithstanding any thing in the said recited Act or in this Act contained, it shall not be lawful for the said Company at any Time to cut, dig, or trench within Thirty Yards of a certain Spring called *Swainsby Spring*, in the Parish of *Duffield* in the said County of *Derby*, or the Sources of the said Spring, nor to impede the Course of the Waters thereof, nor directly or indirectly to lessen the Waters thereof; and further, that in case any Spring shall be opened or discovered in constructing any Tunnel or Trench to be made between the South End of the Town of *Belper* and the South End of *Duffield*, the said Company shall at their own Expence make and maintain proper Drains and Conduits to conduct the whole of the Water of every such Spring to some convenient Spot at or near the Works of *Edward Strutt, George Benson Strutt, and Joseph Strutt*, to be indicated by them, their Heirs, Appointees, or Assigns, and at as great an Elevation as shall be practicable, and shall at the like Expence make and construct and for ever maintain Reservoirs on the Lands of the said *Edward Strutt, George Benson Strutt, and Joseph Strutt*, their Heirs, Appointees, or Assigns, of sufficient Capacity to hold the Water to be collected from all such Springs for the Space of Twenty-four Hours; and that it shall be lawful for the said *Edward Strutt, George Benson Strutt, and Joseph Strutt*, their Heirs, Appointees, and Assigns, for the Time being, and their and every of their Servants, Agents, Engineers, and Surveyors, at all seasonable Times to enter and examine the Tunnels and Trenches of the said Company, as well during the Progress of the Work as after the Completion thereof, and for that Purpose, and in going and returning, to use the Machinery, Engines, and Apparatus of the said Company.

For Protec-
tion of cer-
tain Springs
of Water in
the Parish of
Duffield.

IX. Provided also and be it further enacted, That, notwithstanding any thing in the said recited Act or in this Act contained, it shall not be lawful for the said Company to erect any Building, unless for the Purpose of a Station for the Town of *Belper*, on any Land which may be taken or acquired from the said *Edward Strutt, George Benson Strutt, and Joseph Strutt*, or any of them, or their or any of their Heirs, Appointees, or Assigns, under all or any of the Powers of the said recited Act or this Act, nor, unless for the Purpose of such Station, to take from them or any of them under the said Powers any Land beyond what shall be necessary for making the Railway with proper Banks, nor to dig for, take, or carry away any Materials from any of the Lands of the said *Edward Strutt, George Benson Strutt, and Joseph Strutt*, or any of them, or their or any of their Heirs, Appointees, or Assigns, except such Materials as shall be actually obtained in making the said Railway or forming such Station (if any) as aforesaid, nor to lay any Spoil upon any of the Lands of the said *Edward Strutt, George Benson Strutt, and Joseph Strutt*, their

Buildings not
to be erected
on Land pur-
chased from
Messrs.
Strutt.

[Local.]

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Heirs,

Heirs, Appointees, or Assigns, without their Consent in Writing first had and obtained.

Power to
Messrs.
Strutt to
make Com-
munications.

X. And be it further enacted, That in such Parts of the Line of the said Railway as shall intersect the Lands of the said *Edward Strutt, George Benson Strutt, and Joseph Strutt*, it shall be lawful for them, their Heirs, Appointees, and Assigns, to arch over the said Railway, and to make Communications either over or under it as they may find necessary or convenient, so as all such Works be done in a proper, safe, and workman-like Manner, and to the Satisfaction of the respective Engineers of the Party doing the same and of the said Company, or in case of a Difference of Opinion, then to the Satisfaction of a Third Engineer, to be chosen by the Engineers of the Party and of the said Company.

Not to pre-
vent Messrs.
Strutt having
the Benefit of
general Pro-
visions.

XI. Provided always, and be it further enacted, That, notwithstanding the special Stipulations herein-before contained, the said *Edward Strutt, George Benson Strutt, and Joseph Strutt*, their Heirs, Appointees, and Assigns, and the Lessees, Tenants, Under-tenants, and Occupiers of their Lands, shall be entitled to the full Benefit of all the general Provisions of the said recited Act and this Act, whether in reference to the Owners of Lands taken, used, or enjoyed by the said Company, or adjoining to the Railway or Works of the said Company, or otherwise howsoever.

For Protec-
tion of the
Cromford
Canal.

XII. And whereas by the said recited Act certain Provisions are made for the Protection of the *Cromford* Canal Navigation, and the said Railway Company are required, in carrying the said Railway under the Aqueduct belonging to the said Canal at or near *Bull Bridge* in the Parish of *Crich* in the County of *Derby*, to construct a Tunnel, the Soffit of the Arch of which shall not be less than Eight Feet from the usual Surface of the Water of the said Canal; be it enacted, That in case the Canal Company shall think fit to consent in Writing under their Common Seal to any Alteration in the Mode of constructing the said Tunnel, their so doing shall not in any Manner prejudice or affect any of the Powers and Provisions in the said recited Act contained for the Protection of the said Canal Navigation (except so far as they may be varied by such Consent), but all the same Powers and Provisions shall remain and be in as full Force, notwithstanding any such Consent, as if the said Tunnel had been constructed in the Manner specified in the said recited Act; and nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the said Canal Company in and by the Acts relating to the said Canal or either of them, save and except as is provided for by the said recited Act and this Act.

Repeal of the
Restriction
as to Com-
mencement
of Line be-
tween *Altofts*
and *Leeds*.

XIII. And whereas by the said recited Act it is enacted, that none of the Powers or Authorities by the said recited Act given to or vested in the said Company should be or should be capable of being put in force or executed by the said Company, in respect of the making of that Part of the said Railway which lies between the Point of Junction with a certain other proposed Railway called or intended to be called "The *York* and *North Midland* Railway," in the Township of *Altofts* and the said Town of *Leeds*, until the Expiration of Twelve Calendar Months next after the passing of that Act, or the End of the then next Session of Parliament, whichever

whichever should last happen : And whereas it is expedient that the said Provision should be repealed ; be it therefore enacted, That the said recited Provision shall be and the same is hereby repealed.

XIV. And be it further enacted, That nothing in this Act contained shall prevent the *Manchester and Leeds Railway Company*, under or by virtue of an Act passed in the last Session of Parliament, intituled *An Act for making a Railway from Manchester to Leeds*, from taking and purchasing Land and Buildings and other Property, or from making the Railway authorized by the said Act to be made, and proper Depôts and Stations for the same, at such Time or Times and in such Place or Places as by the said Act is authorized, subject nevertheless to the Restrictions in the same Act contained ; and that nothing in this Act contained shall prejudice, alter, or affect all or any of the Rights, Powers, Privileges, or Immunities now vested in or belonging to the said *Manchester and Leeds Railway Company* under or by virtue of the same Act.

Saving Rights of Manchester and Leeds Railway Company.

6 W 4. c. 111.

XV. And be it further enacted, That in case the Junction of the *Manchester and Leeds Railway* and of the *York and North Midland Railway* respectively with the *North Midland Railway* shall be made at different Points from those contemplated in the said recited Act and in the said Act intituled *An Act for making a Railway from Manchester to Leeds*, yet nevertheless all and every the Provisions in the same Acts or either of them contained relative to the Tolls, Rates, and Duties payable or demandable in respect of the Distance between the said Two Points of Junction shall remain and continue in full Force and Effect ; provided that the Distance between the said Two Points of Junction shall not exceed Two Miles from each other.

Provisions of recited Act with regard to Tolls to subsist, although the Point of Junction thereby Provided for be altered.

XVI. And whereas the said Branch Railway hereby authorized to be made is not intended for the Use of locomotive Engines thereon, be it therefore enacted, That, notwithstanding any thing in the said recited Act or this Act contained, it shall be lawful for the said Company to construct the said Branch Railway across any public Highway on the Level (if necessary) ; provided that the Surface of the Rails be not allowed to rise above or sink below the Level of such public Highway more than One Inch.

Branch Railway may cross public Highways on a Level.

XVII. And be it further enacted, That in all Cases in which the said Company shall carry for their own Profit any Passengers, Cattle, or other Animals, Goods, Wares, or Merchandize, Articles, Matters, or Things, a separate Account shall be duly kept, showing the Amount of Rates or Tolls which would have been received by the said Company for the Use of the said Railway in respect of such Passengers, Cattle, or other Animals, Goods, Wares, or Merchandize, Articles, Matters, or Things, if carried by any other Party or Parties, and the said Company shall also keep an Account of all Tolls and Rates which shall be actually received by them for the Carriage of the same ; and the Overseers of the Poor of the several Parishes and Townships through which the said Railway shall pass shall have free Access to and Liberty to inspect such Accounts at any Time during the first Fourteen Days in the Months of *February* and *August* in each Year ; and if the said Company shall neglect or refuse to keep such Accounts, or to permit such Inspection thereof as aforesaid, they shall forfeit and pay for every such Neglect or Refusal

When Company carry Passengers or Goods for their own Profit a separate Account to be kept.

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the Sum of Three hundred Pounds, and the further Sum of Fifty Pounds for every Day during which such Neglect or Refusal may continue.

For protect-
ing the Pro-
perty of
William
Sykes Ward.

XVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to authorize or enable the said North Midland Railway Company, in making and constructing or maintaining the said Railway, or any of its Depôts, Stations, or Approaches, to take or enter upon any Lands or Grounds of or belonging to or in the Tenure or Occupation of *William Sykes Ward*, or his Tenants or Under-tenants, in or near *Hunslet Lane* in the Parish and Township of *Leeds*, mentioned and comprised in the said Plan and Book of Reference so deposited as aforesaid, other than and except the Lands, Grounds, and Buildings numbered 26, 27, 28, and 29 on the said Plan and Book of Reference, (comprising a Croft or Close of Pasture Ground and Ropewalk, a Reservoir of Water, Two Sheds, and a Skittle Ground,) without the Consent in Writing of the said *William Sykes Ward*, his Heirs or Assigns, in every Instance for that Purpose first had and obtained.

Power to
stop up use-
less Roads.

XIX. And be it further enacted, That it shall be lawful for the said Company, by and with the Consent in Writing of any Two or more Justices of the Peace acting for the District where the same shall be situate, to stop up, use, inclose, and alter such Roads, Streets, Footpaths, Squares, Courts, Alleys, Yards, Ways, Passages, and other Places, or so much and such Parts thereof as may be required for the Purposes of this Act, or which may in consequence of the Works hereby authorized become useless, or lead only to Lands or Buildings which may be conveniently approached by some other Road, Street, Footpath, Court, Alley, Way, Passage, or Place; and the Ground or Soil of such Roads, Streets, Footpaths, Squares, Courts, Alleys, Yards, Ways, Passages, and Places, or such Parts of the same as shall be so stopped up, shall be and are hereby vested in the said Company for the Purposes of this Act, where the same shall be required for the Purposes thereof, or otherwise shall become the Property of the Owners of the Lands adjoining on each Side of the said Roads, Streets, Footpaths, Squares, Courts, Alleys, Yards, Ways, Passages, and other Places so to be stopped up, in equal Moieties: Provided always, that any Decision of Justices in respect to the stopping up of any Roads, Streets, Footpaths, Squares, Courts, Alleys, Yards, Ways, Passages, and other Places shall be subject to Appeal in like Manner as other Decisions of Justices are rendered subject to Appeal under the Provisions of the said recited Act of the Fifth and Sixth *William* the Fourth.

Power to
take Offices
on Lease or
otherwise.

XX. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time to purchase, hire, or take any Buildings or Lands for the Purpose of Offices, or for the Purpose of erecting Offices thereon, adjoining to or at a Distance from the said Railway, in Fee Simple or on a Building Lease, or for a Term of Years or from Year to Year, and for that Purpose to enter into all such Arrangements, Contracts, Deeds, Covenants, and Instruments as they may be advised are necessary, and for that Purpose to affix the Seal of the said Company to any of such Instruments, which shall be binding upon the said Company and their Successors; and may also
at

at their own Expence erect and build upon or contract for the Erection upon such Land so to be bought or taken upon Lease as aforesaid such Offices or Buildings for the Use of the said Company as shall to them seem meet and desirable, and to sell or dispose of the same from Time to Time as they may think proper, and again from Time to Time to purchase, hire, or take other Buildings or Lands for the like Purpose, and to erect and build thereon as aforesaid, and to execute all proper Deeds and Conveyances respecting the same, as the said Company may deem advisable or expedient.

XXI. And whereas by the said recited Act the said Company are empowered, in case the Money thereby authorized to be raised by Subscription as therein mentioned should be found insufficient for the Purposes of the said Act, to borrow and take up at Interest, or to raise by additional Subscription, any further or additional Sum not exceeding in the whole the Sum of Five hundred thousand Pounds, as in the said Act mentioned: And whereas it is expedient that the said Company should be empowered to borrow and take up at Interest, or to raise by the Issue of new Shares, such further or additional Sum when and so soon as One Half of the Capital by the said recited Act authorized to be raised by Subscription shall have been paid up; be it therefore enacted, That when and so soon as the Sum of Seven hundred and fifty thousand Pounds in respect of the Money by the said recited Act authorized to be raised by Subscription shall have been actually paid up for the Purposes of the said recited Act and of this Act, or at any Time after, if it shall be found advisable, it shall be lawful for the said Company from Time to Time, by virtue of an Order of any General or Special General Meeting of the said Company, to borrow and take up at Interest on the Credit of the said Undertaking, or to raise by the Issue of new Shares, or partly by the one and partly by the other of such Means, any further or additional Sum not exceeding in the whole the Sum of Five hundred thousand Pounds; but until the said Sum of Seven hundred and fifty thousand Pounds shall have been so paid up as aforesaid it shall not be lawful for the said Company to raise any Sum of Money by Loan or Mortgage in anticipation of such Capital; and all Powers and Provisions in the said Act contained with respect to the Sum thereby authorized to be raised by Mortgage or by the Issue of new Shares shall apply and extend to the Money hereby authorized to be raised as aforesaid.

Explaining
and extend-
ing the
Powers to
raise Money
on Mortgage.

XXII. And be it further enacted, That the Time by the said recited Act limited for the compulsory Purchase of Lands for the Purpose of the said Undertaking shall be and is hereby extended and enlarged for the further Term of One Year, to be computed from the Expiration of the Time thereby limited: Provided always, that it shall not be lawful for the said Company to take or use any Dwelling House, nor to deviate from the Line of the said Railway as laid down on the Maps deposited with the respective Clerks of the Peace of the Counties through which the said Railway is intended to pass, after the Expiration of the Period by the said recited Act limited for the Purchase of Lands, without the Consent of the respective Owners and Occupiers thereof being previously obtained.

Time en-
larged for
taking Lands.

For defraying
Expences of
the Act.

XXIII. And be it further enacted, That all the Costs, Charges, and Expences of obtaining and passing this Act, and of making the Surveys, Plans, and Estimates, and all other Costs, Charges, and Expences in any way incident thereto, shall be paid and defrayed by the said Company out of the Money already raised and received, or out of the first Money to be raised or received by virtue of the said recited Act or this Act, in preference to any other Payment whatsoever.

Act declared
Public.

XXIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The SCHEDULE to which the foregoing Act refers.

Owner or reputed Owner.	Lessee.	Occupier.	Description of Property.
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WEST RIDING OF THE COUNTY OF YORK.

Parish and Township of Leeds.

John Blayds	-	-	-	William Sykes Ward & William Gouldthorp, Robert Ingham, Stephen Brooksbank, Richard Hird, John Bracewell, Richard Hall, James Allen, and John Holroyd.	Garden.
Ditto	-	-	-	William Sykes Ward and Christopher Benson.	Ropewalk and Shed.
Ditto	-	-	-	William Sykes Ward and John and Samuel Clough.	Timber-yard.
Ditto	-	-	-	William Sykes Ward and Henry Mallinson.	Two Pigstyes.
Ditto	-	-	-	William Sykes Ward and John and Samuel Clough.	Yard.
Ditto	-	-	-	William Sykes Ward and William Steward.	Stonemason's Yard and Shed.
Ditto	-	-	-	William Sykes Ward and Thomas Barker.	Garden.
Ditto	-	-	-	Joshua Tetley and Thomas Woodcock.	Cottage, Stable, and Sheds.
Ditto	-	-	-	Thomas Giles	Joiner's Workshop.
Ditto	-	-	-	Joshua Tetley and Thomas Giles.	Yard and Two Sheds.
William Sykes Ward	-	-	-	George Kaye	Ropewalk and Two Sheds.
Ditto	-	Joshua Tetley	-	Joshua Tetley	Reservoir.
Ditto	-	-	-	Samuel Hirst	Skittle Ground.
John Atkinson Hall and William Hardwick.	-	-	-	-	Street.
John Wade & Elizabeth Allison.	-	-	-	-	Waterloo Street.
Thomas Kendell	-	-	-	In hand	Yard.

Bowman Lane and Waterloo Street.

John Rowley	-	-	-	Christopher Routh	House and Outhouse.
Ditto	-	-	-	John Beaumont	Ditto.
Ditto	-	-	-	David Casson	Ditto.
Ditto	-	-	-	Charles Carr	Ditto.
Ditto	-	-	-	Joseph Sparling	Ditto.
Benjamin Taylor	-	-	-	Jeremiah Scott	Warehouse and Yard.

Owner or reputed Owner.	Lessee.	Occupier.	Description of Property.
Elizabeth Hobson	-	Herself and Joseph Hobson.	House.
John Patchett	-	Robert Jackson	House.
Ditto	-	Richard Edmondson and Thomas Barker.	Ditto.
Ditto	-	Isaac Isaacs	Ditto.
Ditto	-	Thomas Rowley	Ditto.
Ditto	-	William Hall	Ditto.
Ditto	-	Occupiers of the Five last-mentioned Houses.	Brewhouse, Privies, and Yard.
Christopher Benson	-	Samuel Rhodes	House.
Ditto	-	John Sedgwick	Ditto.
Ditto	-	Martin Akeroyd	Ditto.
Ditto	-	Thomas Eccles	Ditto.
Ditto	-	In hand	Ditto.
Christopher Benson	-	Occupiers of the Five last-mentioned Houses.	Yard and Outbuildings.
Mrs. Eliz. Allison	-	Thomas Walsh and Samuel Lee.	Stonemason's Workshops and Yard.
Ditto	-	William Bennett	Workshop.
Ditto	-	Edwin Turner	Coach-house.
Ditto	-	Unoccupied	Stable.
Ditto	-	Edward Burrows	House.
Ditto	-	John Holliday	Ditto.

Waterloo Street.

Mrs. Elizabeth Allison	-	John Sanderson	House.
Ditto	-	Thomas Jackson	Ditto.
Ditto	-	James Blayds	Ditto.
Ditto	-	Elizabeth Beckwith	Ditto.
Ditto	-	Thomas Shepherd	Ditto.
Ditto	-	Thomas Hawkesworth	Ditto.
Ditto	-	Edwin Turner	Ditto.
Ditto	-	Ditto	Garden.
Ditto	-	John Jackson	House, Yard, and Outbuildings.

Hunslet Lane.

Ditto	-	Edward Farrar and John Jackson.	Dram Shop & Chambers over.
Ditto	-	William Abel, Edwin Turner, and John Ward.	Schoolroom and Buildings.
Ditto	-	Thomas Hawkesworth	Workshops.
Ditto	-	Edward Farrar	Public House, Stable, Yard, and Outbuildings.
Ditto	-	John Shepherd	Yard and Outhouse.
Ditto	-	William Dunwell	Stables and Pigstye.
Ditto	-	William Dunwell and John Ward.	Yard.
Ditto	-	John Ward	Stable-yard and Sheds.
Ditto	-	Thomas Shepherd	Blacksmiths Shops.
Ditto	-	Ditto	Pigstye.
Ditto	-	Thomas Hawkesworth	Ditto.
Ditto	-	James Blayds	Ditto.

Owner or reputed Owner.	Lessee.	Occupier.	Description of Property.
Mrs. Elizabeth Allison	- - -	William Squire - -	House.
Ditto - -	- - -	James Cork - -	Ditto.
Ditto - -	- - -	Sarah Wild - -	Ditto.
Ditto - -	- - -	William Blenkin - -	Bakehouse.
Ditto - -	- - -	Ditto - -	House.
Ditto - -	- - -	John Fallon - -	Ditto.
Ditto - -	- - -	Hannah Nettleton - -	Ditto.
Ditto - -	- - -	Hutchinson Gresham - -	Stable.
Ditto - -	- - -	William Squire - -	Ditto.
Ditto - -	- - -	George Blanchard - -	House.
Ditto - -	- - -	Thomas Roebuck - -	Ditto.
Ditto - -	- - -	Mary Dodgson - -	Ditto.
Ditto - -	- - -	Thomas Pedder - -	Ditto.
Ditto - -	- - -	Thomas Flint - -	Ditto.
Ditto - -	- - -	Common to the Occu- piers of the surrounding Houses.	Yard and Outhouse.
Ditto - -	- - -	Thomas Holliday - -	Wheelwright's Yard, Workshops, Wood- sheds, Furnaces, and Blacksmith's Shop.
Mrs. Elizabeth Alli- son.	- - -	Thomas Holliday - -	Cottage or Workshop.
<i>Waterloo Street.</i>			
John Barkworth and Abraham Wade, Trustees of John Watson.	- - -	Thomas Hoadley - -	House.
Ditto - -	- - -	Thomas Cook - -	Ditto.
Ditto - -	- - -	William Ramsden - -	Ditto.
Ditto - -	- - -	Thomas Maclea - -	Ditto.
Ditto - -	- - -	John Scholefield - -	Ditto.
Ditto - -	- - -	Margaret Pickard - -	Ditto.
Ditto - -	- - -	George Stephenson - -	Ditto.
Ditto - -	- - -	John Watson jun. - -	Ditto.
Ditto - -	- - -	John Marsh - -	Ditto.
Ditto - -	- - -	John Shephard - -	Ditto.
Ditto - -	- - -	William Green - -	Ditto.
Ditto - -	- - -	Thomas Doughty - -	Ditto.
Ditto - -	- - -	James Sparrow - -	Ditto.
Ditto - -	- - -	John Watson, Thomas Waude, and Joshua Blackburn.	Saw-pit, with Rooms over.
Ditto - -	- - -	John Watson - -	Stable.
Ditto - -	- - -	Joseph Kershaw - -	House.
Ditto - -	- - -	George Newton - -	Ditto.
Ditto - -	- - -	George Wainwright - -	Ditto.
Ditto - -	- - -	Charles Andrews - -	Chamber Dwelling over a Passage.
Ditto - -	- - -	John Watson - -	House.
Ditto - -	- - -	Common to the Occu- piers of the surrounding Houses.	Yard.
William Hardwick - -	- - -	Mary Nunn and James Alexander Randall.	House.

[Local.]

Owner or reputed Owner.	Lessee.	Occupier.	Description of Property.
William Hardwick -	-	James Alexander Randall.	House.
Ditto -	-	Unoccupied - - -	Three Stables.
Ditto -	-	John Haigh - - -	Stable.
Ditto -	-	James Alexander Randall.	Yard.
Ditto -	-	William Hardwick -	Waggon Warehouse.
Ditto -	-	James Jennings - - -	House.
Ditto -	-	John Scarf - - -	Ditto.
Ditto -	-	John Hawkins - - -	Ditto.
Ditto -	-	Simeon Hirst - - -	Ditto.
Ditto -	-	John Mackley - - -	Ditto.
Ditto -	-	John Plows - - -	Ditto.
Ditto -	-	William Woodhead -	Ditto.
Ditto -	-	James Andrews - - -	Ditto.
Ditto -	-	Benjamin Smith - - -	Ditto.
Ditto -	-	William Taylor - - -	Ditto.
Ditto -	-	William Watson - - -	Ditto.
Ditto -	-	Henry Greenwood -	Ditto.
Ditto -	-	William Elsworth - -	Ditto.
Ditto -	-	William Brittain - -	Ditto.
Ditto -	-	Edward Cooper - - -	Ditto.
Ditto -	-	Common to the Occupiers of the adjoining Houses.	Yard and Outbuildings.

COUNTY OF DERBY.

Parish of Duffield.

Charles Robert Colville.	Aaron Bendall	Aaron Bendall and William Ogden.	Two Cottages, Orchard, and Garden.
Ditto	-	John Turner - - -	Pasture and Plantation.
John Balguy and Charles Alsop.	-	Charles Alsop - - -	Garden.
John Balguy and Joseph Merton.	-	Joseph Merton - - -	Ditto.
Joseph Cash - - -	-	John Ward, Benjamin Walton, and Thomas Walker.	Three Cottages, Gardens, and Outbuildings.
John Harrison - - -	-	Samuel Scattergood, Joseph Ogden, and William Sansom.	Three ditto.
Samuel Harvey sen.	-	Samuel Harvey jun. -	Pasture and Hovel.
Messrs. Strutt - - -	-	In hand - - -	Plantation.

Township of Hazlewood.

Messrs. Strutt - - -	-	In hand - - -	Plantation.
Ditto - - -	-	Lydia Alsop - - -	House and Yard.
Ditto - - -	-	Ditto - - -	Garden.
Ditto - - -	-	Francis Linley, John Rodgers, Richard Wragg, and Edward Peach.	Four Houses and Gardens.

Owner or reputed Owner.	Lessee.	Occupier.	Description of Property.
Messrs. Strutt	-	Francis Linley, Rich. Wragg, Hannah Sellers, Thomas Wilmot, Mary Hampson, William Needham, Samuel Windley, William Wheatcroft, T. Lowe, Benjamin Ogden, and Thomas Willis.	Potato Field.

Parish of Duffield:—Township of Belper.

Messrs. Strutt	-	Salathiel Harvey	-	Cottage and Garden.
Ditto	-	In hand	-	Plantation.
Ditto	-	William Reilly	-	Nailer's Shop.
Ditto	-	Ditto	-	House and Garden.
Ditto	-	Samuel Bates	-	Ditto.
Ditto	-	William Kirk	-	Ditto.
Ditto	-	Ditto	-	Garden, Shop, and Outbuildings.
Thomas Mawkes jun.	-	Rev. Edward Jenour	-	House, Garden, and Outbuildings.
Messrs. Strutt	-	William Jessop	-	Pasture and Hovel.
John Ward and Benjamin Ward.	-	In hand	-	House, Garden, and Pleasure Ground.
John Ward	-	J. W. Taylor	-	Garden and Hovel.
Ditto	-	John Newton and Robert Rodgers.	-	Two Cottages, Garden, and Workshop.
Ditto	-	John Parker and James Tomlinson.	-	Garden Ground.
Ditto	-	J. W. Taylor	-	House and Garden.
Henry Mold	-	In hand	-	Pasture and Plantation.
Ditto	-	Ditto	-	Ditto.
Ditto	-	Ditto	-	House, Garden, and Outbuildings.
Ditto	-	Ditto	-	Workshops and Yard.
Mary, William, and George Bowmer.	-	Samuel Milward and Mary Coulton.	-	Two Houses and Gardens.
Thomas Alcock	-	Joseph Bowden and Ann Smart.	-	Three Houses and Gardens.
John Milward	-	John Frost	-	Malthouse and Yard.
Henry Mold	-	In hand	-	Pasture and Stack-yard.
Robert Bainbridge	-	James Tomlinson and John White.	-	Two Houses and Gardens.
William Beardsley	-	William Beardsley and Samuel Newbold.	-	Garden Ground.
David Evans	-	In hand	-	Plantation.
German Hunt and Tabitha Brassington.	-	Thomas Bostock	-	Orchard.
Messrs. Strutt	-	Abraham Harrison, Jacob Smith, Henry Lilley, John Waterfall, and Benjamin Orme.	-	Garden Ground.
Ditto	-	James Haworth, Jas. Glossop, Richard Booth, and Samuel Walker.	-	Ditto.

Owner or reputed Owner.	Lessee.	Occupier.	Description of Property.
<i>Parish of Whittington.</i>			
David Marsh, Samuel Denham, Richard Gregory, and Ellen Cartledge.	- - -	Ann Ward - -	Pasture and Osier Bed.
<i>Parish of Beighton.</i>			
John Shirt Jennings Earl Manvers Ditto - -	- - - Elizabeth Potter - - -	In hand - - Thomas Potter - - George Cox - -	Ditto. Osier Bed. Ditto.

WEST RIDING OF THE COUNTY OF YORK.

Parish of Aston-cum-Aughton.

Harry Verelst Edwin Sorby	- - -	Samuel Skinner - - In hand - -	Potato Ground. Plantation.
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NORTH WINGFIELD BRANCH.

Parish of North Wingfield.

Joseph Pearson Ditto - -	- - -	William Dean - - James Ashmore - -	Garden. Cottage and Garden.
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LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.