ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. cxc.

An Act to incorporate the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company with the *Manchester, Sheffield, and Lincolnshire* Railway Company.

[9th *July* 1847.]

WHEREAS an Act was passed in the Session of Parliament held in the Seventh Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for making a Railway from* Sheffield *in the West Riding of the County of* York *to* Manchester *in the County of* Lancaster, whereby a Company was incorporated, called "The *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company:" And whereas the Provisions of the said Act have been amended and enlarged by several subsequent Acts of Parliament relating to the said Company passed respectively in the Sessions of Parliament held in the Fifth and Sixth, the Sixth and Seventh, and the Seventh and Eighth Years of the Reign of Her present Majesty and in the last Session of Parliament: And whereas an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her said present Majesty, intituled *An Act for making a Railway from a Place in the Parish of* Bole *in the* 7 W. 4. & 1 Vict. c. 21. 8 & 9 Vict. c. 50.

the County of Nottingham, *near to the Town and Port of* Gainsborough, *to the Town and Port of* Great Grimsby *in the Parts of* Lindsey *in the County of* Lincoln, *with Branches to the District or Place called* New Holland, *and to the Town of* Market Rasen, *to be called* "*The* Great Grimsby and Sheffield Junction *Railway*," whereby a Company was incorporated, called "The *Great Grimsby and Sheffield Junction* Railway Company:" And whereas the Provisions of the said last-recited Act have been amended and enlarged by several subsequent Acts of Parliament relating to the said Company passed in the last Session of Parliament: And whereas another Act was passed in the said Session of Parliament held in the said Eighth and Ninth Years of the Reign of Her said present Majesty, intituled

8 & 9 Vict. c. 202. *An Act for making additional Docks and other Works at the Haven of the Town and Port of* Great Grimsby, *and for amending the Acts relating to the said Haven*, whereby a Company was incorporated, called "The *Grimsby* Dock Company:" And whereas another Act was passed in the last Session of Parliament, intituled

9 & 10 Vict. c. 304. *An Act for making a Railway from* Sheffield *to* Gainsborough, *with Branches*, whereby a Company was incorporated, called "The *Sheffield and Lincolnshire Junction* Railway Company:" And whereas another Act was passed in the last Session of Parliament, intituled

9 & 10 Vict. c. 319. *An Act for making a Railway from the proposed* Sheffield and Lincolnshire Junction *Railway to* Lincoln, whereby a Company was incorporated, called "The *Sheffield and Lincolnshire Extension* Railway Company," by virtue of which last-mentioned Act the said last-named Company has become merged in and incorporated with the said *Sheffield and Lincolnshire Junction* Railway Company: And whereas another Act was passed in the last Session of Parliament, intituled

9 & 10 Vict. c. 268. *An Act to amalgamate the* Sheffield, Ashton-under-Lyne, and Manchester *Railway Company, the* Sheffield and Lincolnshire Junction, *the* Sheffield and Lincolnshire Extension, *and the* Great Grimsby and Sheffield *Railway Companies, and the* Grimsby *Dock Company*, under the Provisions whereof the said *Sheffield, Ashton-under-Lyne, and Manchester, Sheffield and Lincolnshire Junction, Sheffield and Lincolnshire Extension*, and *Great Grimsby and Sheffield Junction* Railway Companies, and *Grimsby* Dock Company, have been dissolved, and the Proprietors of Shares therein respectively have become united into a new Company under the Name of "The *Manchester, Sheffield, and Lincolnshire* Railway Company:" And whereas an Act was passed in the last Session of Parliament, intituled

9 & 10 Vict. c. 358. *An Act for making a Railway from the* Midland *Railway at* Staveley *to the Town of* Worksop, *and for consolidating into One Undertaking the said proposed Railway and the Canal Navigation from* Chesterfield *to the River of* Trent," whereby a Company was incorporated, called "The *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company:" And whereas by the said last-recited Act, after reciting that a Bill was then pending before Parliament for making a Railway to be called "The *Sheffield and Lincolnshire Junction* Railway," the Objects of which Railway were in some respects identical with the Objects of the Railway by the said recited Act authorized, and that a provisional Agreement had been entered into on behalf of the Company promoting the said *Sheffield and Lincolnshire Junction* Railway and the Company thereby

thereby incorporated for an Union of the said Companies, it is enacted, that it shall be lawful for the said Two Companies to amalgamate into One united Company for the Purposes authorized by the said recited Act, and which might be authorized by the said Bill; and if at any Time within Six Months after the passing of the said recited Act the *Sheffield and Lincolnshire Junction* Railway Company should require the Company by the said recited Act incorporated to unite the said Two Companies under the Terms of the said provisional Agreement, then and in such Case the Company thereby incorporated should and they were thereby required to adopt such Measures as might be necessary for effecting such Amalgamation accordingly in order that the said Agreement might be strictly fulfilled between the said Two Companies: And whereas the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company have introduced or intend to introduce into Parliament in the present Session a Bill for enabling them to make a certain Deviation in the Line of their Railway: And whereas by the said recited Act incorporating the *Sheffield and Lincolnshire Junction* Railway Company, after reciting that a Bill was then pending before Parliament for making a Railway called "The *Manchester and Lincoln Union* Railway," the Objects of which Railway were in some respects identical with the Objects of the Railway by the said Act authorized, and that a provisional Agreement had been entered into on behalf of the Company promoting the said *Manchester and Lincoln Union* Railway and the Company by the said Act incorporated for an Union of the said Companies, it is enacted, that if at any Time within Six Months after the passing of the now reciting Act the *Manchester and Lincoln Union* Railway Company should require the Company by the said Act incorporated to unite the said Two Companies under the Terms of the said provisional Agreement, then and in such Case the said Company thereby incorporated should and they were thereby required to adopt such Measures as might be necessary for effecting such Union accordingly in order that the said Agreement might be strictly fulfilled between the said Two Companies: And whereas, in pursuance of the Provisions contained in the said recited Acts incorporating the *Sheffield and Lincolnshire Junction* Railway Company, and the said *Manchester and Lincoln Union* Railway, and *Chesterfield and Gainsborough* Canal Company respectively, due Notice was given by the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company to the said *Sheffield and Lincolnshire Junction* Railway Company (prior to the said recited Act for incorporating the said *Manchester, Sheffield, and Lincolnshire* Railway Company taking effect) requiring the said *Sheffield and Lincolnshire Junction* Railway Company to unite the said Two Companies under the Terms of the said provisional Agreement referred to in the said recited Acts, but such Union cannot be completely effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act the several Undertakings of the *Manchester and Lincoln Union* Railway

Certain Undertakings vested in the

Manchester, Sheffield, and Lincolnshire Railway Company.

Railway and *Chesterfield and Gainsborough* Canal Company, as well those which have been commenced or completed as those which have not been commenced or completed, and all the Lands, Monies, Goods, and Chattels, and all other the Real and Personal Estate and Effects, of the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, and all the Estate, Right, Title, and Interest of the said Company in their said Undertakings, and all the Rights, Privileges, Powers, and Authorities affecting or appurtenant to the same respectively, by the recited Act relating to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, or by any other Act or Acts heretofore passed or to be passed in the present Session of Parliament, vested in the said Company, shall (subject to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances of the said Company) be and be held to be and the same are hereby vested in the *Manchester, Sheffield, and Lincolnshire* Railway Company, and may be lawfully executed, completed, held, used, and exercised by and in the Name of the *Manchester, Sheffield, and Lincolnshire* Railway Company in the same Manner and to the same Extent as the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company could have executed, completed, held, used, exercised, and enjoyed the same if this Act had not been passed, save only so far as the Execution, Completion, Use, Exercise, or Enjoyment of such Undertakings, Rights, Powers, Authorities, and Privileges may be inconsistent with the Provisions and Purposes of this Act, or any of them.

Powers of Manchester, &c. *Union* Railway and Chesterfield and Gainsborough Canal Company extended to Manchester, &c. Railway Company.

II. And be it enacted, That from and immediately after the passing of this Act all the Powers, Authorities, Rights, Privileges, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Rules, Clauses, Matters, and Things contained in the recited Act relating to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, or in any other Act or Acts relating thereto heretofore passed or to be passed in the present Session of Parliament, shall, with reference to such Works, Matters, and Things as have been or might have been made or done thereunder by the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company in relation to their said Undertaking or otherwise if this Act had not been passed, and save only so far as the same or any of them are inconsistent with the Provisions and Purposes of, or are by this Act expressly repealed or altered, and subject to the Provisions herein-after contained, be executed, done, performed, and observed by and be applied and applicable to the *Manchester, Sheffield, and Lincolnshire* Railway Company, their Directors, Officers, Agents, and Servants, in every respect, and as fully and effectually to all Intents and Purposes as if the Name of the *Manchester, Sheffield, and Lincolnshire* Railway Company had in every Case been written or inserted in the Acts relating to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company instead of the Name of the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company.

III. And

Certain Debts, &c. transferred to Manchester, Sheffield, and Lincolnshire Railway Company.

III. And be it enacted, That (subject to the Provisions in this Act contained) from and immediately after the passing of this Act all Debts then due from or to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company shall be payable and paid, together with all Interest, if any, due or to accrue due thereon, by or to the *Manchester, Sheffield, and Lincolnshire* Railway Company; and all Rates, Tolls, Duties, and Monies which shall be or become, or which if this Act had not been passed would be or become, due and payable under and by virtue of any Act or Acts relating to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, or otherwise, from or to the same Company, shall be due and payable from or to the *Manchester, Sheffield, and Lincolnshire* Railway Company, and shall and may be recovered from and by the *Manchester, Sheffield, and Lincolnshire* Railway Company by the same Ways and Means, with the same Restrictions and Regulations, and with the same Penalties in regard thereto respectively, as the same would or might have been due and payable to or from, or recoverable from or by, the said *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company in case this Act had not been passed.

Effect of certain Conveyances, Contracts, &c.

IV. And be it enacted, That all Conveyances, Contracts, Agreements, Obligations, Mortgages, Liabilities, Bonds, Covenants, and Securities which shall have been made or entered into before the passing of this Act with, by, or for the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company shall (subject to the Provisions in this Act contained) be and remain as good, valid, and effectual for or against or with reference to the *Manchester, Sheffield, and Lincolnshire* Railway Company to all Intents and Purposes as if the last-mentioned Company had been Party to and had executed the same, or had been named or referred to therein, instead of the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company.

Rights of Action by or against Manchester, &c. Railway and Chesterfield and Gainsborough Canal Company to be valid, &c.

V. And be it enacted, That all Injuries, Misfeasances, Nonfeasances, and other Rights of Action which, before the passing of this Act, shall have been done or committed, or omitted to be done, or accrued, by, to, or for or against the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, shall (subject to the Provisions in this Act contained) be and remain as good, valid, and effectual for or against the *Manchester, Sheffield, and Lincolnshire* Railway Company to all Intents and Purposes as if the same had been done or committed, or omitted to be done, or had accrued, by, to, for, or against the last-mentioned Company.

Acts of Railway and Canal Company to be binding on the Manchester, Sheffield, and Lincolnshire Railway Company.

VI. And be it enacted, That every Purchase, Sale, Conveyance, Grant, Lease, Agreement, Security, Right, Liability, Privilege, Omission, Act, Matter, or Thing whatsoever which before the passing of this Act shall have been made, done, executed, granted, incurred, obtained, omitted, transacted, commenced, or instituted under or by virtue or in pursuance of any Act or Acts relating to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company

Company by, for, on behalf of, against, or in respect of the same Company shall (subject to the Provisions in this Act contained) be and the same are hereby declared to be as good, valid, and effectual, and of the same Condition and Quality, to all Intents and Purposes whatever, to, for, or against the *Manchester, Sheffield, and Lincolnshire* Railway Company, as they respectively were immediately before the Period aforesaid with reference to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, and shall and may (subject as aforesaid) be executed, done, performed, continued, completed, and terminated by, for, or against, or with reference to the *Manchester, Sheffield, and Lincolnshire* Railway Company, under and subject to the Provisions and Regulations of the Act or Acts relating to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, as fully and effectually as the same could or might have been done by and in the Name of the last-mentioned Company if this Act had not been passed.

Works to be completed.

VII. Provided always, and be it enacted, That all Works which, under the Provisions of any Act or Acts relating to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, the same Company is authorized or required to execute or complete, and which shall not have been executed or completed before the passing of this Act, may be executed or completed, as the Case may be, by the *Manchester, Sheffield, and Lincolnshire* Railway Company, and the same Company shall have Power to pay for the same out of the Monies placed at their Disposal by this Act, or otherwise, and shall have and be entitled to all such Powers for executing and completing such Works as the said *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company was entitled to under the said Acts or any of them, and as fully as if the *Manchester, Sheffield, and Lincolnshire* Railway Company had been originally authorized or required to execute and complete the same Works instead of the Company actually authorized or required to execute and complete the same: Provided nevertheless, that where any particular Time is by the same Acts, or any of them, limited for the Execution or completing of such Works, the same shall and may be so executed and completed within the Period so limited.

Contracts to be completed.

VIII. Provided also, and be it enacted, That in all Cases in which either of the said Companies previously to the passing of this Act shall, under the Powers or Provisions of any of the Acts aforesaid, have entered into any Contracts for the Purchase of or shall have taken or used any Land which before the Period aforesaid shall not have been effectually conveyed to such Company, or the Purchase Money in respect of which shall not have been duly paid by such Company, or shall have entered into any other Contract or Agreement, then and in every such Case such Contracts or Agreements shall be completed, and such Lands shall be conveyed to the *Manchester, Sheffield, and Lincolnshire* Railway Company, or as such Company shall direct, and such Purchase Money or other

Money so agreed to be paid shall be paid out of any Money placed at the Disposal of the *Manchester, Sheffield, and Lincolnshire* Railway Company by this Act, or otherwise; and all Clauses, Provisions, Powers, and Authorities contained in such Act or Acts in relation to the Completion of such Contracts, and the Purchase and Conveyance of such Land, and the Payment and Application of such Purchase Money in respect thereof, and in relation to other Matters of Agreement, shall for the Purposes of this Act remain in full Force, and shall be construed and taken as if the *Manchester, Sheffield, and Lincolnshire* Railway Company were named in such Act or Acts and Contracts or Agreements respectively instead of the Company which shall have entered into such Contracts, or taken or used such Land, or otherwise have been affected by such Agreements.

Application of certain Monies payable under recited Acts.

IX. Provided also, and be it enacted, That in all Cases in which, under the Provisions of any of the Acts relating to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, or to the *Manchester, Sheffield, and Lincolnshire* Railway Company, any Sum of Money shall before the passing of this Act have been paid by either of the said Companies, or shall thereafter be paid by them or either of them, into the Bank of *England*, or to any Trustee or Trustees on account of the Purchase of any Land or any Interest therein, or for any Compensation or Satisfaction, or on any other Account, such Sum, or the Stocks, Funds, or Securities in or upon which the same shall be invested, either by the Order of the Court of Exchequer or the Court of Chancery, or otherwise howsoever, and the Interest, Dividends, and annual Produce thereof, shall be applied and disposed of pursuant to the Act under which the same has been or shall be so paid into the Bank of *England*, or to such Trustee or Trustees as aforesaid; and all the Clauses, Provisions, Powers, and Authorities contained in such Act or Acts in relation to such Monies, Stocks, Funds, and Securities, and the Dividends and annual Produce thereof, shall for the Purposes of this Act remain in full Force, and shall be construed and taken as if the *Manchester, Sheffield, and Lincolnshire* Railway Company were named in such Act or Acts instead of the Company to which such Act or Acts relate.

Debt of the Railway and Canal Company to be the Debt of Manchester, Sheffield, and Lincolnshire Railway Company.

X. And be it enacted, That from and after the passing of this Act the Debt of the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company then due on Mortgage or Bond, or simple Contract, or any other Obligation or otherwise, shall be deemed and is hereby declared to be Part of the Debt of the *Manchester, Sheffield, and Lincolnshire* Railway Company, and subject to all the Provisions respecting Debts contained in the Act relating to that Company: Provided always, that nothing herein contained shall give to the Holder of any such Mortgage, Bond, or other Security any Priority or Security which he would not have been entitled to if this Act had not been passed, nor diminish such as such Holder may possess at the Time of the passing of this Act.

XI. And

Tolls to be taken.

XI. And be it enacted, That it shall be lawful for the *Manchester, Sheffield, and Lincolnshire* Railway Company to demand and receive in respect of the Use of the said *Manchester and Lincoln Union* Railway any Tolls not exceeding the Tolls which, under and by virtue of the said recited Act passed in the last Session of Parliament relating to the said *Manchester, Sheffield, and Lincolnshire* Railway, they are authorized to take upon the said *Manchester, Sheffield, and Lincolnshire* Railway.

Company may create Shares.

XII. And whereas the present Share Capital of the said *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company consists of Forty-three thousand two hundred and Ten Shares of the nominal Value of Eight Pounds Two Shillings each; be it enacted, That the said *Manchester, Sheffield, and Lincolnshire* Railway Company shall, as soon as practicable after the Publication of such Notice as aforesaid, create Forty-three thousand two hundred and ten Shares of the nominal Value of Eight Pounds Two Shillings each, which shall for the Purposes of this Act be called "*Manchester and Lincoln Union* Shares;" and every Person or Corporation who immediately before the passing of this Act shall be entitled to One or more Shares in the Capital of the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company of the nominal Value of Eight Pounds Two Shillings shall in lieu thereof for each such Share become entitled to One of the said *Manchester and Lincoln Union* Shares, and such last-mentioned Shares shall be vested in the aforesaid Persons and Corporations accordingly.

As to the Rate of Dividends Holders of certain Shares are entitled to.

XIII. And be it enacted, That the Holders of the said *Manchester and Lincoln Union* Shares under this Act shall be entitled to the same Rate of Dividend and of Interest respectively which the Holders of Shares in the said recited Act incorporating the *Manchester, Sheffield, and Lincolnshire* Railway Company, called "*Sheffield and Lincolnshire* Shares," are and by the same Act will be from Time to Time entitled to.

Calls paid upon the original Shares to be considered as paid upon the substituted Shares.

XIV. And be it enacted, That all Sums of Money (if any) which at the Time of the Creation of such new Shares by virtue of this Act shall have been called up and paid, or called up but not paid for, or on account of any Shares in lieu or substitution for which any Share or Shares shall be given or granted by virtue of this Act, shall be considered as having been called up and paid, or called up and not paid (as the Case may be), for or on account of the new Shares which shall be substituted for such original Shares by virtue of this Act.

New Shares to be subject to the same Trusts as old Shares.

XV. And be it enacted, That all Persons and Corporations in whom any of the said new or substituted Shares shall become vested under the Provisions herein-before contained shall stand and be possessed of every such Share upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances, upon and to which the original Share or Shares for which

which such new Share or Shares was or were substituted was or were subject and liable immediately before such Substitution took place, and so as to give effect to and not revoke any Will or other Testamentary Instrument disposing of or affecting such original Share or Shares.

Railway and Canal Company after passing of this Act to be dissolved.

XVI. And be it enacted, That the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company shall from and immediately after the passing of this Act be and is hereby dissolved.

Dissolution not to abate Actions.

XVII. Provided always, and be it enacted, That nothing in this Act contained shall abate or prejudice any Action or Suit which shall have been commenced by or against the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company before the passing of this Act, but the same may be continued, proceeded with, and prosecuted as if this Act had not been passed; and nothing in this Act contained shall tend to revive or continue any Right of Action which by virtue of the said recited Acts or any of them should be brought within a limited Time, but such Action shall be brought within the same Time against the *Manchester, Sheffield, and Lincolnshire* Railway Company as it must or should have been against the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company in case this Act had not been passed; and nothing in this Act contained shall prevent the suing for or recovering, either in the Name of the *Manchester, Sheffield, and Lincolnshire* Railway Company, or of the *Manchester and Lincoln Union* Railway, and *Chesterfield and Gainsborough* Canal Company, any Penalty incurred for any Offence against the Provisions of any Act relating to the said Companies respectively on or before the passing of this Act, or prevent, defeat, or abate any Prosecution, but all Penalties which shall have been so incurred may be sued for, and all Offences which shall have been so committed may be prosecuted, either in the Name of the *Manchester, Sheffield, and Lincolnshire* Railway Company, or of the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, in the same Manner, to all Intents and Purposes, as the same could have been sued for or prosecuted in the Name of the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company if this Act had not passed.

Saving the Rights of the Owners of Rent-charges, Mortgages, &c.

XVIII. Provided also, and be it enacted, That nothing hereinbefore contained shall diminish, prejudice, increase, extend, vary, or otherwise affect the Rights, Remedies, Securities, or other Claims of any Person or Corporation to whom any Sum of Money is, or but for the passing of this Act would have been or become, due or payable from the *Manchester, Sheffield, and Lincolnshire* Railway Company, or the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, for Chief Rents, Ground Rents, Rent-charge, or other Rent or annual Sum, or upon or by virtue of any Mortgage or Bond from or by either of such last-mentioned Com-

panies, but that all such Rights, Remedies, Securities, and other Claims shall continue and be charged and chargeable upon the same Property and Effects, have the same Priorities, and be in all respects in the same State and Condition, and of the same Force, Validity, and Effect, as they would have been if this Act had not been passed.

Directors under this Act.

XIX. And be it enacted, That the Directors for the Time being of the *Manchester, Sheffield, and Lincolnshire* Railway Company shall be Directors, as well for the Purposes of the Act of Parliament relating to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, as also for the Purposes of the Acts relating to the *Manchester, Sheffield, and Lincolnshire* Railway Company, and for the Purposes of this Act, and (for all Purposes connected with the Qualification of Directors) Shares held under this Act shall be deemed Shares in the *Manchester, Sheffield, and Lincolnshire* Railway Company held under the Act relating thereto; and all the Provisions in the recited Act relating to the *Manchester, Sheffield, and Lincolnshire* Railway Company contained in reference to Directors going out of Office being re-eligible, the Constitution of Meetings for choosing Directors, and the Proceedings thereat, and all other Provisions in such Acts contained in reference to the Qualification, Election, Duties, and Powers of Directors, so far as the same are not repugnant to or inconsistent with the Provisions in this Act contained, shall continue in full Force.

Power to the Manchester, Sheffield, and Lincolnshire Railway Company to exercise Powers of the Railway and Canal Company as to the raising of Money.

XX. And be it enacted, That it shall be lawful for the *Manchester, Sheffield, and Lincolnshire* Railway Company after the passing of this Act to exercise all Powers with reference to the raising of Money, either by the Creation of new Shares or by Mortgage, which may have been granted to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company by the said recited Act relating to such Company, and which may be then in force, and also all Powers which may be granted to the said *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company by any Act or Acts of the present Session of Parliament, and for such Purpose to create additional Shares in the *Manchester, Sheffield, and Lincolnshire* Railway Company, or to mortgage or assign the Undertakings, and the Rates, Tolls, or other Property of the *Manchester, Sheffield, and Lincolnshire* Railway Company, as the Case may be, but so nevertheless that the total Amount of Money to be raised by the *Manchester, Sheffield, and Lincolnshire* Railway Company under the Powers of this Act and of the said recited Acts, and any other Act or Acts of the present Session of Parliament relating to their Undertakings, shall not exceed the aggregate Amount of Capital which the *Manchester, Sheffield, and Lincolnshire* Railway Company and the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company respectively are or may be authorized to raise under the Powers of the said recited Acts, and any other Act or Acts of the present Session relating to their respective Undertakings.

XXI. And

In case Mortgages are paid off surviving Company may raise the Amount again.

XXI. And be it enacted, That if the *Manchester, Sheffield, and Lincolnshire* Railway Company shall pay off all or any Part of any Money which has been or shall at any Time or Times hereafter be borrowed under the Authority of the several Acts of Parliament relating to the *Manchester, Sheffield, and Lincolnshire* Railway Company, or to the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsaborough* Canal Company, or any of such Acts, then and in every such Case it shall be lawful for the *Manchester, Sheffield, and Lincolnshire* Railway Company, and they are hereby authorized and empowered, immediately or at any Time or Times, and from Time to Time thereafter, again to raise or borrow the whole or any Part of the Amount so paid off on the Credit of the several Undertakings vested in them, and for that Purpose to mortgage and assign the Undertakings, and the Rates, Tolls, and other Property of the *Manchester, Sheffield, and Lincolnshire* Railway Company, or any Part thereof respectively, (the Costs and Charges of mortgaging and assigning the same to be paid out of the Money so to be raised,) as a Security for any Sum of Money which shall be so again raised or borrowed, with Interest, to such Person as shall advance the same, and so from Time to Time as often as the same shall happen, but so nevertheless that the *Manchester, Sheffield, and Lincolnshire* Railway Company shall not, under the Authority of this Act, in any event borrow or owe upon Mortgage at any One Time more than the total Amount authorized to be raised or borrowed by the said several Companies respectively.

Interest not to be paid on Calls paid up.

XXII. And be it enacted, That (except so far as is authorized by the said recited Acts or any of them) it shall not be lawful for the said *Manchester, Sheffield, and Lincolnshire* Railway Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

Deposits for future Bills not to be paid out of the Company's Capital.

XXIII. And be it enacted, That it shall not be lawful for the said *Manchester, Sheffield, and Lincolnshire* Railway Company, out of any Money by this Act or any other Act relating to the said Railway Company, or relating to the said *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal, authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company

Company to construct any other Railway or execute any other Work or Undertaking.

Provisions of former Acts of Manchester, Sheffield, and Lincolnshire Railway Company applicable to this Act.

XXIV. And be it enacted, That so much and such Parts of the recited Acts and of any Act of the present Session of Parliament relating to the *Manchester, Sheffield, and Lincolnshire* Railway Company as relate to or in any Manner concern the Appointment, Duty, Power, Obligation, or Liability of Directors, Committees, Clerk, Secretary, Treasurer, or other Officers, the making or Enforcement of Bye Laws, the keeping, Examination, Inspection, or making up of Accounts, the making Calls and enforcing Payment of Calls, the Forfeiture of Shares for the Nonpayment of Calls, the raising Money, the Conversion of Debt into Capital, the Consolidation of Shares into Stock, the transferring or Transmission of Shares or Stock, the Declaration or Receipt of Dividends, and the Service of Notice, Writ, or other Process, except so far as the same or any of them have heretofore been or by this Act is or are varied, altered, or repealed, or so far as the same or any of them may be inconsistent with the Provisions and Purposes of this Act, and all other Powers and Provisions of the aforesaid Acts not inconsistent with this Act, shall be good, valid, and effectual to and for the Undertakings of the *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, as well as of the *Manchester, Sheffield, and Lincolnshire* Railway Company, and all the Purposes thereof respectively, and for carrying this Act into execution, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted expressly in this Act.

Commissioners of Railways may require Inconveniences and Evils to be remedied.

XXV. And be it enacted, That if at any Time after the passing of this Act it shall appear to the Commissioners of Railways to be necessary for the Interests of the Public, it shall be lawful for the said Commissioners to require the *Manchester, Sheffield, and Lincolnshire* Railway Company to proceed forthwith to the Correction or Prevention of any Inconveniences or Evils by the Commissioners specified, and upon the Failure or Inability of such Company to comply with the Requisitions of the said Commissioners within the Period of Six Months from the Date of such Requisition in the Particulars aforesaid, it shall be lawful for the said Commissioners to serve the said *Manchester, Sheffield, and Lincolnshire* Railway Company with Notice to introduce into Parliament in the then existing Session, if Parliament should be then sitting, and if not in the next ensuing Session, a Bill or Bills for amending this Act in such Particulars as aforesaid, and thereupon the said *Manchester, Sheffield, and Lincolnshire* Railway Company shall and is hereby required to introduce such Bill or Bills accordingly, and duly to prosecute the same, in default whereof it shall be lawful for the said Commissioners to introduce or prosecute (as the Case may be) such Bill at the Expence of the said *Manchester, Sheffield, and Lincolnshire* Railway Company.

Railway Company to be subject

XXVI. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the*

Conveyance of the Mails by Railway; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation thereto;* and another Act was passed in the last Session of Parliament, intituled *An Act for regulating the Gauge of Railways;* and another Act was passed in the said last Session of Parliament, intituled *An Act for constituting Commissioners of Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the said Railways, or the said *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, or the *Manchester, Sheffield, and Lincolnshire* Railway Company in respect thereof, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, and the said *Manchester, Sheffield, and Lincolnshire* Railway Company, so far as the same shall be applicable thereto.

to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., and 9 & 10 Vict. cc. 57. & 105.

Railway to be subject to Provisions of future general Acts.

XXVII. And be it enacted, That nothing herein contained shall be deemed to exempt the said *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company, or the said *Manchester, Sheffield, and Lincolnshire* Railway Company in respect thereof, from the Provisions of any general Act relating to Railways now in force or which may pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges hereby authorized to be taken on the said Railway or Railways.

Expences of Act.

XXVIII. And be it enacted, That all the Costs, Charges, and Expences of and incidental to the obtaining of this Act, and preparatory thereto, shall be paid by the Directors of the *Manchester, Sheffield, and Lincolnshire* Railway Company, *pari passu* with the Costs, Charges, and Expences of any other Act of Parliament passed in the present Session to which they may be liable, out of the first Monies received or to be received by them by virtue of this Act, or out of any other Monies at their Disposal.

Short Title.

XXIX. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to refer to and describe it by the Title of "The *Manchester, Sheffield, and Lincolnshire* Railways, and *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Amalgamation Act, 1847."

Public Act.

XXX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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