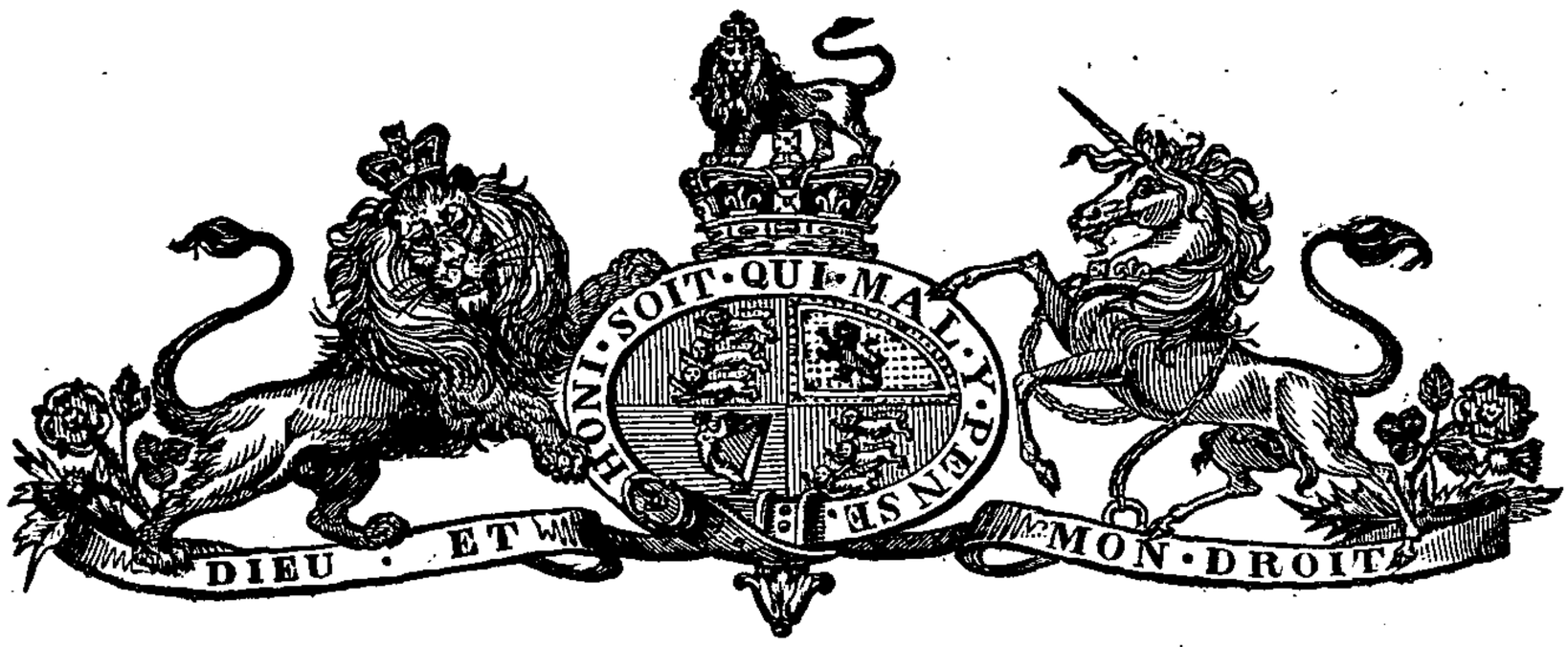


ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

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Railway Company intended to be by this Act incorporated: And whereas the several Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Acts of Parliament following, that is to say, "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, and the Provisions of the said several Acts shall be applicable to the Purposes of this Act, except so far as the same Provisions or any of them are inconsistent with the Provisions of this Act, or are hereafter declared not to extend thereto.

8 & 9 Vict. cc. 16. 18. and 20. incorporated with this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Act, 1846."

Subscribers incorporated.

III. And be it enacted, That the Honourable *George Henry Cavendish*, *Joseph Paxton*, *William Rickford Collett*, *Edmund Gilling Maynard*, *William Jackson*, *William Mee*, *Henry Tootal*, *James Durham*, *William Richardson*, *George Chapman*, *William Reed*, the Honourable *Arthur Duncombe*, *Henry Newberry*, *Richard Barrow*, *James Walkinshaw*, *John Roberts*, *George Thomas Smith*, *Sir Joshua Walmsley* Knight, *John Gregory Cottingham*, and *James Cross*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and also all other Persons and Corporations to whom any Shares in the Undertaking may be allotted under the Provisions herein-after contained, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining a Railway from the *Midland* Railway, at or near the Station thereof in the Parish of *Staveley* in the County of *Derby*, to the Town of *Worksop* in the County of *Nottingham*, there to join the *Chesterfield* Canal, with proper Works and Conveniences belonging thereto respectively, according to the Provisions of the several Acts incorporated herewith and of this Act; and for other the Purposes herein and in the several Acts incorporated herewith contained, and for the Purposes aforesaid, such Company shall be incorporated by the Name of "The *Manchester and Lincoln Union* Railway and *Chesterfield and Gainsborough* Canal Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the several Acts incorporated herewith contained.

Capital.

IV. And whereas the estimated Expence of making the said intended Railway and Works is Three hundred and fifty thousand Pounds; be it enacted, That the Capital of the Company shall be Three

Three hundred and fifty thousand Pounds, subject to Augmentation as herein-after mentioned.

Number and Amount of Shares.

V. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Seventeen thousand and five hundred, subject to Augmentation as herein-after mentioned, and the Amount of each Share shall be Twenty Pounds: Provided always, that it shall be lawful for the Directors, with the Consent of the Majority of any General Meeting of the Company, to divide the said Capital into Shares of any other Number and of any other Amount which may render them more equally distributable among the Subscribers to the said Undertaking in proportion to the Sums respectively subscribed by them.

Calls.

VI. And be it enacted, That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders; and One Half of the Amount of a Share shall be the utmost aggregate Amount of Calls that may be made in any One Year upon any Share, and Three Months at the least shall be the Interval between successive Calls.

Interest to be paid on Calls until Railway completed.

VII. And be it enacted, That it shall be lawful for the Directors of the Company, until the Railway shall be completed and opened to the Public, to pay Interest at any Rate not exceeding Four Pounds *per Centum per Annum* in respect of the Deposits and Calls paid on every Share from the Day on which such Deposits and Calls shall have been so paid, such Interest to accrue and be paid at such Times and Places as the Directors for the Time being shall appoint for that Purpose: Provided always, that no Interest shall accrue to the Proprietor of any Share upon which any Call shall be in arrear in respect of such Share, or of any other Share held by the same Proprietor during the Period while such Call shall remain unpaid.

Power to borrow Money on Mortgage.

VIII. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of One hundred and sixteen thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Three hundred and fifty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Number and Qualification of Directors.

IX. And be it enacted, That the Number of Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Fifty Shares in the Undertaking.

Power to vary the Number of Directors.

X. And be it enacted, That it shall be lawful for the Company to increase or reduce the Number of Directors, provided that the increased Number do not exceed Twelve, and that the reduced Number be not less than Six.

First Directors.

XI. And be it enacted, That *George Henry Cavendish* Esquire, commonly called the Honourable *George Henry Cavendish*, *Joseph Paxton*, *William Rickford Collett*, *Edmund Gilling Maynard*, *William*

liam Mee, *George Chapman*, *Arthur Duncombe* Esquire, commonly called the Honourable *Arthur Duncombe*, *Richard Barrow*, and *John Gregory Cottingham*, shall be the first Directors of the Company.

Directors to remain in Office until first Meeting after passing of this Act.

XII. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

Quorum of Directors.

XIII. And be it enacted, That the Quorum for a Meeting of Directors shall be Five.

Committee of Directors.

XIV. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three nor more than Five, and the Quorum for every such Committee shall be Three.

Quorum of General Meetings.

XV. And be it enacted, That a Quorum for every General Meeting of the Company shall be Twenty Shareholders holding in the aggregate not less than Thirty thousand Pounds in the Capital of the Company.

Shareholders competent to call extraordinary Meetings.

XVI. And be it enacted, That the Number of Shareholders who shall be competent to require the Directors to call an Extraordinary Meeting of the Company, or who in default thereof shall be competent to call such Meeting, shall be Fourteen, holding in the aggregate not less than Twenty thousand Pounds in the Capital of the Company.

Newspapers for Insertion of Advertisements.

XVII. And be it enacted, That the Advertisements relating to the Affairs of the Company shall be inserted in some Newspaper published in the County of *Derby*, and some Newspaper published in the County of *Nottingham*.

Power to make Railway according to deposited Plans.

XVIII. And whereas the Persons herein-before incorporated, together with others, subscribed towards a more extended Undertaking, namely, the making of a Railway from *Staveley* aforesaid through *Worksop* to the Port of *Gainsborough*, with a Branch to the City of *Lincoln*, and another Branch from *Worksop* to join the *Midland* Railway at *Beighton* in *Derbyshire*, to be called the *Manchester and Lincoln Union* Railway; but inasmuch as most of the Objects of the said Undertaking may be attained by means of another projected Railway, a Bill for authorizing which (under the Name of the *Sheffield and Lincolnshire Junction* Railway Bill) is now before Parliament, the said Persons have limited their said Undertaking as first herein-before mentioned: And whereas Plans and Sections of the intended Main Railway and Branch Railways showing the Line and Levels thereof respectively, and also Books of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, of the Lands through which the same respectively are

intended to pass, have been deposited with the respective Clerks of the Peace for the West Riding of the County of *York*, the County of *Derby*, the County of *Nottingham*, the Parts of *Lindsey* in the County of *Lincoln*, the Parts of *Kesteven* in the County of *Lincoln*, and the City of *Lincoln* and County of the same City; be it enacted, That, subject to the Provisions in this Act and the Acts incorporated herewith, or any of them, contained, it shall be lawful for the Company to make and maintain so much of the Main Railway and other Works in the Line and upon the Lands delineated in the said Plans respectively, and described in the said Books of Reference, as lies between the *Midland* Railway aforesaid in the said Parish of *Staveley* and a certain Field in the Parish of *Worksop*, numbered 74 on the said deposited Plans, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes.

Line of Railway.

XIX. And be it enacted, That the said Railway shall commence by a Junction with the *Midland* Railway, at or near the Station thereof in the Parish of *Staveley* in the County of *Derby*, and shall pass from, through, or into the following Places, (that is to say,) *Staveley*, the *Chesterfield* Canal, *Brimmington*, *Handley*, *Woodthorpe*, *Inkersall*, *Barlborough*, *Clown*, *Whitwell*, *Elmton*, *Cresswell*, *Bolsover*, *Stanfree*, *Oxcroft*, *Bolsover Woodhouse*, in the County of *Derby*, *Welbeck*, *Shireoaks*, *Shireoaks Chapel*, *Haggonfield*, *Gateford*, *Radford*, *Manton*, and *Worksop*, or some of them, in the County of *Nottingham*, and shall terminate at or near and not to the Eastward of a Field numbered 74 in the Township of *Radford* in the Parish of *Worksop* on the said deposited Plans.

Power to cross certain Roads on a Level.

XX. And whereas the said intended Railway is proposed to be carried across the Highways numbered on the Plans herein-before referred to as follows, (that is to say,) Number 83 in the Parish of *Whitwell*, Number 80 in the Township of *Worksop* in the Parish of *Worksop*, Numbers 8 and 34 respectively in the Township of *Radford* in the said Parish of *Worksop*: And whereas it is expedient that the said Railway should cross the said Highways respectively on a Level; be it enacted, That it shall be lawful for the Company to make the said Railway across the said Highways on a Level, at or near the Points marked on the said Plans for the crossing thereof.

As to Junctions with the Midland Railway.

XXI. And be it enacted, That the Junction of the Railway hereby authorized to be made and maintained with the *Midland* Railway at *Staveley*, and all such Openings in the Ledges or Flanches of the *Midland* Railway as may be necessary or convenient for effecting such Junction, shall be made and effected under the Direction and Superintendence of the Engineer for the Time being of the *Midland* Railway Company, at the Expence of the Company hereby incorporated, and shall for ever afterwards be maintained and kept in perfect Order and Repair by and at the Expence of the last-mentioned Company.

Land for extraordinary Purposes.

XXII. And be it enacted, That the Quantity of Land to be taken by the Company for extraordinary Purposes shall not exceed Twelve Acres.

Compulsory Purchase of Lands limited.

XXIII. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Works.

XXIV. And be it enacted, That the said intended Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act or the Acts incorporated herewith granted to the Company for executing the said Railway and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Railway as shall be then completed, and except also as to the said *Chesterfield* Canal and all Works belonging thereto or connected therewith.

Company not to enter upon Land belonging to G. S. Foljambe, Esq.

XXV. Provided always, and be it further enacted, That it shall not be lawful for the said Company to acquire or enter on, under or by virtue of the Powers in this Act contained, any Land of *George Savile Foljambe* Esquire, to the Eastward of the Field numbered 74 on the deposited Plans in the Township of *Radford* in the Parish of *Worksop*.

Tolls.

XXVI. And be it enacted, That it shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following; (that is to say,)

On all Articles of Merchandize.

1. In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows:

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and Salt, and all undressed Materials for the Purpose of public Roads or Highways, and for all Coal, *per* Ton *per* Mile not exceeding One Penny, whether conveyed by Carriages belonging to the Company or otherwise:

For all Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, Hoop Iron, Sheet Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandize, *per* Ton *per* Mile not exceeding One Penny Halfpenny, whether conveyed in Carriages belonging to the Company or otherwise:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Two-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

And for every Carriage of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform, *per* Mile not exceeding Three-pence;

And a Sum not exceeding Four-pence *per* Mile for every additional Quarter of a Ton or a fractional Part of a

Quarter of a Ton which any such Carriage may weigh; and if any such Carriage shall be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Two-pence:

For Passengers and Cattle.

2. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows:

For every Person conveyed in or upon any such Carriage, *per* Mile not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny:

For every Horse, Mule, Ass, or other Boast of Draught or Burden, and for every Ox, Cow, Bull, or Neat Cattle, conveyed in or upon any such Carriage, *per* Mile not exceeding Three Halfpence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Halfpenny:

For every Calf or Pig conveyed in or upon any such Carriage, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Farthing:

For every Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile not exceeding One Farthing; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Farthing.

Tolls for propelling Power.

XXVII. And be it enacted, That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway shall not exceed One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken.

Maximum Charges for Passengers.

XXVIII. Provided always, and be it enacted, That in case Passengers shall be conveyed by the Company, as Carriers upon their own account, the maximum Rate of Charge to be made by the Company for the Conveyance of such Passengers upon the Railway, including the Tolls for the Use of the Railway, and of Carriages and locomotive Power, and every other Expence incidental to such Conveyance, shall not exceed the following Sums:

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

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

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

For Horses, Cattle, Goods, &c.

XXIX. And with respect to the Conveyance by the Company, as Carriers upon their own account, of Horses, Cattle, Carriages, and Goods, the maximum Rates of Charge to be made by the Company, including the Tolls for the Use of the Railway, and of Waggons or Trucks, and locomotive Power, and every Expence incidental to such Conveyance, (except the loading and unloading of Goods, where such Service is performed by the Company,) shall not exceed the following Sums:

For every Horse, or other Animal before classed with Horses, the Sum of Four-pence *per* Mile:

For Cattle, the Sum of Three-pence *per* Head *per* Mile:
For every Calf or Pig, the Sum of One Penny *per* Mile:
For Sheep and small Animals, Three Farthings each *per* Mile:
For Manure, and other Articles herein-before classed therewith, and for Coals, the Sum of Two-pence *per* Ton *per* Mile:
For Coke, and other Articles herein-before classed therewith, the Sum of Two-pence Halfpenny *per* Ton *per* Mile:
For Sugar, and other Articles herein-before classed therewith, the Sum of Three-pence Halfpenny *per* Ton *per* Mile:
For Cotton, and other Goods and Articles herein-before classed therewith, the Sum of Five-pence *per* Ton *per* Mile:
For every Carriage, the Sum of Seven-pence *per* Mile.

Regulations as to the Tolls.

XXX. And be it enacted, That the following Provisions and Regulations shall be applicable to the fixing of the several Tolls by this Act authorized to be taken; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Six Miles the Company may demand, in addition to the Tolls and Charges for Conveyance, a reasonable Charge for the Expence of stopping, loading, and unloading:

For a Fraction of a Mile the Company may demand Tolls in proportion to the Number of Quarters of a Mile contained therein; and if there be a Fraction of a Quarter of a Mile, such Fraction shall be deemed a Quarter of a Mile:

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

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

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

Tolls for small Parcels and Articles of great Weight.

XXXI. And with respect to small Packages and single Articles of great Weight, be it enacted, That notwithstanding the Rate of Tolls prescribed by this Act the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the Company may demand any Sum which they think fit: Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages:

For the Carriage of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons, but shall not exceed Six Tons, the Company may demand such Sum as they from Time to Time may think fit, not exceeding Sixpence *per* Ton *per* Mile:

For

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

Passengers Luggage.

XXXII. And be it enacted, That every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Restrictions as to Tolls not applicable to Special Trains.

XXXIII. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any Special or Extra Train that may be required to run upon the Railway, but shall apply only to the ordinary Trains appointed or to be appointed by the Company for the Conveyance of Passengers and Goods upon the Railway.

Company may take increased Charges by Agreement.

XXXIV. Provided further, and be it enacted, That nothing herein contained shall be held to prevent the Company from taking any increased Charges, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance thereof by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto.

Respecting certain Traffic through Staveley Coalfield.

XXXV. And whereas the said Railway passes through the *Staveley* Coal and Iron Works in the Parish of *Staveley* for a Distance of about Two Miles, and it will be necessary to convey Articles and Goods from one Part of the said Works to the other along the said Line; be it enacted, That it shall be lawful, notwithstanding any thing herein-before contained, for the Owner and his Lessee or Lessees for the Time being of the said *Staveley* Coal and Iron Works, under the Direction and Regulation of the said Company, to convey Articles and Goods along that Part of the said Line hereby authorized to be made, which passes through the said Works in the said Parish, from one Part of the Works to another, paying Tolls only for the Distance for which the Railway shall be traversed, although such Distance may be under Six Miles; and that the Company shall at their own Expence make and provide good and sufficient Sidings of and Communication for the Purpose of Trade from the said Railway hereby authorized to be made to the said *Staveley* Works.

The Chesterfield Canal and Works vested in the Railway and Canal Company.

XXXVI. And be it enacted, That from and after the passing of this Act the Canal Navigation from *Chesterfield* to the River of *Trent*, and all Cuts, Reservoirs, Aqueducts, Feeders, Water Tanks, Basins, Pens, Dams, Embankments, Weirs, Locks, Sluices, Culverts, Drains, Soughs, Tunnels, Arches, Sewers, Bridges, Fences, Gates, Ways, Roads, Railroads, Towing Paths, Landing Places, Docks, Quays,

Quays, Wharfs, Houses, Warehouses, Toll Houses, and other Buildings, Cranes, Weighing Machines, Engines, and other Works to the same Canal Navigation, Cuts, Branches, and Communications respectively belonging, and the Ground and Soil thereof respectively, and all and every other the Lands, Rents, and Hereditaments, Easements, and Appurtenances whatsoever, of or to which the Canal Company by virtue of the said recited Act, or by any other Means whatsoever, were seised, possessed, or entitled at Law or in Equity immediately before the passing of this Act shall belong to, and the same are hereby vested in the Railway and Canal Company hereby incorporated, subject nevertheless to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances respectively affecting the same.

Personal Estate, Debts, and Effects of Canal Company vested in Railway and Canal Company.

XXXVII. And be it enacted, That all the Monies, Debts, Goods, Chattels, Effects, Bonds, Deeds, Books, Writings, Maps, Plans, and personal Estate of the Canal Company, subject nevertheless, as to the said Monies and Debts, to the Provisions herein-after contained with respect to the Application thereof, shall be and the same are hereby vested in the Railway and Canal Company, and all Books, Deeds, and Papers relating to the Canal Company or to the Shares in the said Company, and now in the Custody of the said Company or their Clerk, though not actually belonging to the said Company, shall be transferred to and remain in the Custody of the said Railway and Canal Company, to the same Use, Intent, or Trust as they are now held, and all Persons and Corporations who immediately before the passing of this Act owed any Sum of Money to the Canal Company shall pay the same, together with all Interest (if any) due or to accrue due for the same respectively to the Railway and Canal Company.

Rates, Tolls, and Duties of the Canal Company transferred to the Railway and Canal Company.

XXXVIII. And be it enacted, That all Rates, Tolls, and Duties which under or by virtue of the said recited Act were immediately before the passing of this Act due and payable or then accruing due to the Canal Company shall, subject nevertheless to the Provisions herein-after contained with respect to the Application thereof, be and be deemed to be due and payable to the Railway and Canal Company, and shall and may be demanded, received, collected, and recovered by the Railway and Canal Company, by the same Ways and Means and with and under the same Restrictions and Regulations, and with the same Penalties in respect thereof, as the same might have been demanded, received, collected, and recovered by the Canal Company in case this Act had not been passed.

Monies at Bankers, and Tolls received and due to belong to the Canal Company.

XXXIX. Provided always, and be it enacted, That all Monies which at the Time of the passing of this Act shall be in the Hands of the Bankers of the Canal Company, to the Credit of the said Company, and all Rates and Tolls which shall have been received by the Canal Company or shall be due to them, shall, after Payment of all Costs, Charges, and Expences incurred and owing by them in relation to the working and Management of the said Canal Navigation, and of all Interest which at the Time of the passing of this Act shall be due on Mortgages or other permanent Securities granted by the Canal Company, and of all Money owing by the said Company to their

their Bankers, be divisible amongst and paid and belong to the several Persons and Corporations who at the Time of the passing of this Act shall be the Proprietors of Shares in the said Canal Navigation, in proportion to the Amount of Shares held by them respectively therein, but having regard to the just Claims and Interests of such Proprietors as between themselves in respect of such Shares.

Debts of Canal Company transferred to Railway Company.

XL. And be it enacted, That the Principal Money of all Debts due upon Mortgage or Bond which immediately before the passing of this Act was owing by the Canal Company, and all Interest to accrue due thereon after the passing of this Act, shall be paid by the Railway and Canal Company.

Powers &c. of the Chesterfield Canal Company extended to the Railway and Canal Company.

XLI. And be it enacted, That all the Powers, Authorities, Rights, Privileges, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Rules, Clauses, Matters, and Things in the said recited Act contained shall, with reference to such Works, Matters, and Things as have been or might have been made or done thereunder by the Canal Company in anywise in relation to the said Canal Navigation 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 this Act, or are by this Act expressly repealed and altered, and subject to the Provisions herein contained, be borne, executed, done, performed, and observed by and be applied and be applicable to the Railway and Canal 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 Railway and Canal Company had in every Case been written or inserted in the said recited Act instead of the Name of the Canal Company.

Provisions of other Acts in favour of Canal Companies to be exercised by Railway and Canal Company.

XLII. And be it enacted, That all Powers, Provisions, Matters, and Things reserved, contained, or granted in or by any Act of Parliament (other than by the said recited Act) to or for the Benefit of the Canal Company, and not since repealed, shall, so far as relates to the said Canal Navigation and Works hereby vested in the Railway and Canal Company, appertain, attach to, and be exercised and enforced by the Railway and Canal Company, in as full and effectual a Manner, to all Intents and Purposes whatsoever, as if the same had in and by such other Act of Parliament as aforesaid been expressly reserved, contained, or granted to and for the Benefit of the Railway and Canal Company.

Provisions in Canal Act in favour of particular Persons to be performed by Railway and Canal Company.

XLIII. And be it enacted, That all Works and Things which, under the Provisions of the said recited Act or any other Act, the Canal Company are bound, required, empowered, or made liable to make, construct, complete, or maintain, and all Repairs thereof respectively, and all Regulations and Restrictions which, under the Provisions of the said recited Act or any other Act, are imposed upon and required to be observed by the Canal Company for the Safety, Protection, Accommodation, Convenience, Enjoyment, and Benefit of Persons and Corporations whose Estates, Properties, or Interests were or might be affected by the making and maintaining of the said Canal and Works by the said recited Act authorized to be made and maintained,

tained, and for the Protection of such Estates, Properties, and Interests as aforesaid, and all such Payments annual and in gross as under the Provisions of the said Act or any other Act are required to be made by the Canal Company, or so much and so many of the aforesaid Works, Acts, Matters, Things, Regulations, Restrictions, and Payments as the Canal Company would have been bound or liable to construct, complete, maintain, make, do, execute, observe, perform, or pay in case this Act had not been passed, shall be constructed, maintained, made, done, executed, observed, performed, kept, and paid by the Railway and Canal Company as fully to all Intents and Purposes as the same are by the said recited Act or any other Act required to be made, done, executed, maintained, observed, performed, kept, and paid by the Canal Company, and as if the several Provisions in the said Act or any other Act contained in reference thereto respectively had been specially repeated and re-enacted in and by this Act, and had been made applicable to the Railway and Canal Company.

As to Conveyances, &c. made in favour of the Canal Company, &c.

XLIV. And be it enacted, That all Conveyances, Contracts, and Agreements, Mortgages, Bonds, Covenants, and Securities, made or entered into before the passing of this Act to, with, or in favour of, or by or on the Behalf of, the Canal Company, shall be and remain as good, valid, and effectual in favour of or against and with reference to the Railway and Canal Company, and may be proceeded in and enforced in the same Manner by or against the Railway and Canal Company, to all Intents and Purposes as if the Railway and Canal Company had been a Party to and executed the same, or had been respectively named or referred to therein instead of the Canal Company.

Rights of Action valid for or against Railway and Canal Company.

XLV. And be it enacted, That all Rights of Action and other Remedies for Injuries, Misfeasances, Nonfeasances, and other things done or committed, or omitted to be done or committed, which shall have accrued before the passing of this Act to the Canal Company against any Person or Corporation, or to any Person or Corporation against the Canal Company shall (subject to the Provisions in this Act contained) be and remain as good, valid, and effectual to, for, or against the Railway and Canal Company, and be enforced in the same Manner to all Intents and Purposes as if the same had accrued to or against the Railway and Canal Company.

Shareholders in Canal to be entitled to Five Railway and Canal Shares for One Canal Share.

XLVI. And whereas the Capital of the Canal Company consists of the Sum of One hundred thousand Pounds, divided into One thousand Shares of One hundred Pounds each, in respect of which Shares all Calls have been paid up; be it enacted, That every Person or Corporation who immediately before the passing of this Act was the Proprietor of One or more Shares in the Canal Company shall (if he or they shall think fit to take and accept the same) be entitled, in respect of every such Share, to Five Shares of the nominal Value of Twenty Pounds each in the Capital or Joint Stock of the Railway and Canal Company; and every such Person or Corporation who shall at the Time of the passing of this Act have signified, or who shall within Two Months after the passing of this Act signify, his or their Consent to take and accept such Shares in the Capital or Joint

Stock of the Railway and Canal Company, or any Number of Shares, after the Rate of Five Shares for every One Share held by him or them in the Canal Company, shall thereupon be deemed to be the Owner of the Shares so taken and accepted by him or them; and all such Shares in the Capital or Joint Stock of the Railway and Canal Company are hereby allotted to and vested in such Person and Corporation accordingly; and every Person and Corporation in whom any such Shares are hereby vested shall stand and be possessed of all such Shares for the same Estates and Interests, and upon the same Trusts, and for the same Purposes, and under and subject to the same Powers and Provisions, respectively, as the Shares in the Canal Company in lieu of which the Shares in the Capital or Joint Stock of the Railway and Canal Company are given as aforesaid were immediately before the passing of this Act held upon and subject or liable to, and so as to give effect to and not to revoke any Will or other testamentary Disposition made thereof previously to the passing of this Act.

Shareholders in Canal not electing to take Shares to be paid in Money.

XLVII. And be it enacted, That every Person or Corporation who immediately before the passing of this Act was the Proprietor of One or more Shares in the Canal Company, and who shall not before the passing of this Act have signified his or their Desire to take Shares in the Capital or Joint Stock of the Railway and Canal Company in lieu of such Shares in the Canal Company, or in lieu of some smaller Number of such Shares, or who shall not within Two Months after the passing of this Act signify his or their Desire to take Shares in the Capital or Joint Stock of the Railway and Canal Company in lieu of the whole or any Number of Shares held by him or them in the Canal Company, shall be entitled to receive from the Railway and Canal Company the Sum of One hundred Pounds for and in respect of each Share held by him or them in the Canal Company in respect whereof he or they shall not have signified or shall not signify his or their Desire to take such Shares as aforesaid; and the Railway and Canal Company shall and they are hereby required to pay to every such Person or Corporation, within Twelve Months after the passing of this Act, the Sum of One hundred Pounds for and in respect of each such Share so held by him or them in the Canal Company in respect whereof he or they shall not have signified, or shall not signify his or their Desire to take Shares in the Capital or Joint Stock of the Railway and Canal Company; and thereupon all the Right, Title, Estate, and Interest of every such Person and Corporation of and in the Canal Company, and the Property and Effects thereof in respect of the Share on account of which such Payment shall be made, as well as of and in such Share, shall cease and determine.

Shares allotted to Canal Proprietors in lieu of Canal Shares to be deemed paid up in full.

XLVIII. And be it enacted, That the full Sum or Amount of Twenty Pounds shall be deemed to have been paid up on every Share in the Capital or Joint Stock of the Railway and Canal Company which shall be allotted to any Person or Corporation in lieu of any Share held by him or them in the Canal Company, and such Person or Corporation shall not be liable to the Payment of any Money in respect of any such Share; nevertheless such Payment of Twenty Pounds in full of any such Share shall not entitle the Holder or Proprietor thereof to Interest thereon as Capital paid in advance to the Railway and Canal Company.

Shares allotted instead of Canal Shares to be distinguished.

XLIX. And be it enacted, That, until the full Sum or Amount of Twenty Pounds shall have been called for in respect of all the Shares in the Capital or Joint Stock of the Railway and Canal Company, the Shares therein which shall have been allotted in lieu of Shares in the Canal Company shall, for the Purpose of distinguishing them from the other Shares in the said Capital or Joint Stock, be denominated "Paid-up Shares," and all other Shares in the said Capital or Joint Stock shall be denominated "Unpaid-up Shares."

Power to increase Capital.

L. And be it enacted, That in addition to the said Sum of Three hundred and fifty thousand Pounds, which the Company hereby incorporated are herein-before authorized to raise, they may also create such Number of additional Shares as may be necessary for the Purpose of allotting Shares in the Capital or Joint Stock of the said Company to the several Proprietors of Shares in the Canal Company who may have elected or who may elect to take such Shares, and for the Purpose of raising Money to pay to the Proprietors of Shares in the Canal Company who may not have elected or may not elect to take Shares in the Capital or Joint Stock of the Railway and Canal Company, or the Sum of One hundred Pounds in respect of each Share in the Canal Company in respect whereof Shares in the Capital or Joint Stock of the Railway and Canal Company may not have been or may not be taken, and the additional Shares so created by the Railway and Canal Company shall be deemed to be and form Part of the Capital of the Company.

Distribution of Shares not allotted to Canal Proprietors.

LI. And with regard to any new Shares which may be created for the Purpose of paying to any of the Proprietors of Shares in the Canal Company the said Sum of One hundred Pounds in respect of each Share, be it enacted, That if at the Time of the Creation of such new Shares the then existing Shares of the Capital or Joint Stock of the Railway and Canal Company be at a Premium, or of greater actual Value than the nominal Value thereof, then the Shares so to be created as last aforesaid shall be offered to the then Shareholders (including such Persons or Corporations as may have taken Shares in lieu of Shares in the Canal Company held by them) in proportion, as nearly as can conveniently be done, to the then existing Shares held by them respectively, and such new Shares shall be offered to the then Shareholders in the Proportion aforesaid, and such Offer shall be made by Letter under the Hand of the Secretary given to or sent by Post addressed to each Shareholder according to his Address in the Shareholders Address Book or left at his usual or last Place of Abode.

Shares to vest in Parties accepting, otherwise to be disposed of by the Company.

LII. And be it enacted, That such new Shares as last aforesaid shall vest in and belong to the Shareholders who shall accept the same and pay the Value thereof to the Railway and Canal Company at the Time and by the Instalments which shall be fixed by the Company, and if any Shareholder fail for One Month after such Offer of new Shares to accept the same, and pay the Instalments called for in respect thereof, it shall be lawful for the Company to dispose of such Shares in such Manner as they shall deem most expedient for the Advantage of the Company.

LIII. And

If Shares not at Premium, to be issued as Company think fit.

LIII. And be it enacted, That if at the Time of the Creation of such new Shares as last aforesaid the existing Shares be not at a Premium, then such new Shares may be of such Amount and may be issued in such Manner and on such Terms as the Railway and Canal Company shall think fit.

New Shares to be considered the same as original Shares.

LIV. And be it enacted, That such new Shares as last aforesaid shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls or the Forfeiture of Shares on Nonpayment of Calls or otherwise, as if they had been Part of the original Capital.

Power to borrow additional Money on Mortgage or Bond.

LV. And be it enacted, That in case the Railway and Canal Company shall, by the Creation of additional Shares as herein-before mentioned, increase their Capital beyond the Sum of Three hundred and fifty thousand Pounds herein-before authorized to be raised, it shall be lawful for them in every such Case to borrow on Mortgage or Bond, in addition to the said Sum of One hundred and sixteen thousand Pounds which they are herein-before authorized to borrow, any further Sum not exceeding in Amount One Third Part of the said increased Capital: Provided nevertheless, that no Part of such additional Sum shall be borrowed as aforesaid until the Shares for raising such increased Capital shall have been created and issued, and One Half Part of the Capital to arise therefrom or to be represented thereby shall have been paid up either actually or by Allotment of such Shares in lieu of paid-up Shares in the Canal Company: Provided also, that, during such Time as any Mortgage Debt which may be owing by the Canal Company at the Time of the passing of this Act shall remain owing and unpaid, the Amount of such Debt shall be taken into account as Part of the additional Sum which the Railway and Canal Company are authorized to borrow as aforesaid, and in satisfaction to that Extent of the Power to borrow the same.

Existing Mortgages to have Priority.

LVI. Provided always, and be it enacted, That all Mortgages which have already been granted under the Provisions of the said recited Act shall have Priority over all Mortgages or Bonds by this Act authorized to be granted.

Canal Company dissolved.

LVII. And be it enacted, That, (subject to the Provisions herein contained,) the Canal Company shall from and immediately after the passing of this Act be and the same is hereby dissolved.

Dissolution not to abate Actions.

LVIII. Provided always, and be it enacted, That nothing in this Act contained shall abate or prejudice any Action or Suit at the Time of the passing of this Act commenced by or against the Canal Company, but that the same may be continued, proceeded with, and prosecuted as if this Act had not been passed, and that nothing in this Act contained shall tend to revive or continue any Right of Action which by virtue of the said recited Act should be brought within a limited Time, but that the same shall be brought within the same Time against the Railway and Canal Company as it must or should have been against the Canal Company in case this Act had not passed; and that nothing in this Act contained shall prevent the

suing

suing for or recovering, either in the Name of the Railway and Canal Company or of the Canal Company, any Penalty incurred for any Offence against the Provisions of the said recited Act previously to the passing of this Act, or to prevent, defeat, or abate any Prosecution, but all Penalties which have been incurred before the passing of this Act may be sued for, and all Offences which have been committed before the passing of this Act may be prosecuted, either in the Name of the Railway and Canal Company or of the Canal Company, in the same Manner to all Intents and Purposes as the same could have been sued for and prosecuted in the Name of the Canal Company if this Act had not been passed.

Indemnity to Committee of Canal Company.

LIX. And be it enacted, That all Persons who before the passing of this Act were the Committee for managing the Affairs of the Canal Company, and their respective Heirs, Executors, Administrators, and Assigns, and their and each of their Lands and Tenements, Goods and Chattels, shall be indemnified and saved harmless, by and out of the Funds of the Railway and Canal Company, from and against all Debts, Liabilities, Contracts, and Agreements contracted or entered into by them as such Committee and every Part thereof, and from and against all Damages, Losses, Costs, Charges, and Expences occasioned or which may at any Time hereafter be occasioned on account or in respect thereof.

Provisions of Canal Act relating to Shares, Directors, &c. repealed.

LX. And be it enacted, That from and after the passing of this Act, all the Clauses, Powers, Provisions, Matters, and Things in the said recited Act contained in reference to the Capital Stock of the Canal Company, the Number and Amount of the Shares therein, and the Purchase, Sale, Transfer, and Acquisition of such Shares, and the Right of voting in respect thereof, and the Registration of the Names of the Holders or Proprietors thereof, and in reference to the Meetings and Proceedings of such Proprietors, and to the Appointment, Qualifications, Powers, and Duties of the said Committee of the Canal Company and of the Officers and Servants thereof, and to the Division of the Profits arising from the said Canal Navigation and Works, (excepting such Division of the Profits which had accrued due at the Time of the passing of this Act as is hereinbefore provided for,) and to any future borrowing of Money by the Canal Company on Mortgage or otherwise, shall be and the same are hereby repealed.

New Works may be substituted for Works used for the Railway.

LXI. And be it enacted, That if any Portions of the said Canal Navigation or of the Towing Path thereof, or of the Works belonging thereto, shall be taken and used for the Purposes of the Railway, it shall be lawful for the Railway and Canal Company to make and construct, within the Limits of Deviation marked upon the said Plans, such Parts of Canal, Towing Path, and other Works as may be necessary for restoring the said Canal Navigation and Works and keeping open the Communication along the same.

The Railway Company to keep the Canal open and in

LXII. And be it enacted, That the Company hereby incorporated, or the said Canal Company, shall not at any Time hereafter sell or dispose of to any Person or Persons whomsoever any Part of the said *Chesterfield* Canal or the Works thereto belonging; and that the said

Company hereby incorporated shall and they are hereby expressly directed and required, from Time to Time and at all Times from and after the Completion of the Purchase of the said Canal, to keep and maintain the said Canal Navigation and the Works thereto belonging, and every Part thereof respectively, in good working Order and Condition, and preserve the Supplies of Water to the same, so that the same Canals and every Part thereof may be at all Times kept open and navigable for the Use of all Persons desirous to use and navigate the same, and that without any unnecessary Hindrance, Interruption, or Delay; and that in case the said Railway and Canal Company shall not at all Times hereafter repair, maintain, and support the same Canal, and the several Reservoirs, Tunnels, Towing Paths, Lands, Buildings, and Works belonging thereto, in such good working Order and Condition, and preserve the Supplies of Water as aforesaid, then and in every such Case it shall and may be lawful for the Lords Commissioners of Her Majesty's Treasury, or to the Officers of the Department charged for the Time being with the Supervision of Railways, if they think fit, upon the Complaint and at the Cost of any Person or Persons using or desirous of using the said Canal, and after giving Fourteen Days Notice in Writing to the Railway and Canal Company, to cause an Inquiry to be made as to the State and Condition of the said Canal, and the several Reservoirs, Tunnels, Towing Paths, Lands, Buildings, and Works belonging thereto; and if upon such Inquiry and Examination the same shall not be found to be in such good working Order and Condition as aforesaid, it shall be lawful for the said Lords Commissioners to cause a Notice to be given to the said Company to put the same and every Part thereof in such good working Order and Condition as aforesaid, and in default of their putting the same into such Repair as aforesaid within Twenty-one Days from the Delivery or leaving of such Notice as aforesaid, it shall be lawful for the said Lords Commissioners to cause the same to be put into such Order and Condition as aforesaid, and that the Costs, Charges, and Expences of making such Inquiry and Repairs as aforesaid shall be borne and paid by such Party and in such Manner as the said Lords Commissioners shall order and direct, and if not so paid, the Party entitled to receive the same shall and may recover the same by Action at Law in any of Her Majesty's Courts of Law at *Westminster* against the Party or Parties ordered to pay the same.

good Repair and not to sell same.

LXIII. And be it enacted, That neither the said Canal Company nor the said Railway Company, their respective Agents and Servants, shall give any undue Preference to any Persons, Vessels, or Goods whatsoever, as against any other Persons, other similar Vessels, or other similar Goods whatsoever, as respects the Use of the said Canals or the Conveniences thereunto belonging; and in case either of the said Companies, its Agents or Servants, shall give any such undue Preference, such Company shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds, to be recovered and applied in Manner directed by the Companies Clauses Consolidation Act, 1845.

Penalty for giving undue Preference.

LXIV. And be it enacted, That if at any Time after the passing of this Act it shall appear to the Lords Commissioners of Her Majesty's Treasury, or to the Officers of the Department charged for the Time

Treasury, &c. may correct any Inconveniences or

Evils arising to the Public.

Time being with the Supervision of Railways, to be necessary for the Interests of the Public, it shall be lawful for the said Lords Commissioners to require the said Railway Company to proceed to the Correction or Prevention of any Inconveniences or Evils by the said Lords Commissioners specified, and which may appear to the said Lords Commissioners or such other Officers to have arisen or to be likely to arise directly or indirectly from the said Canal having been transferred to the said Railway Company, or injuriously to affect the Use thereof by the Public; and upon the Failure or Inability of the said Railway Company to comply with the Requisitions of the said Lords Commissioners in the Particulars aforesaid within a Period of Six Months from the Date of such Requisition, it shall be lawful for the Lords Commissioners to serve the said Railway Company with Notice to introduce into Parliament in the then existing Session, if Parliament 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 Railway Company shall and they are 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 Lords Commissioners or other Officers to introduce or prosecute, as the Case may be, such Bill or Bills at the Expence of the said Railway Company.

Tolls payable under recited Act repealed, and new Tolls granted.

LXV. And be it enacted, That from and after the passing of this Act the several Tolls, Rates, and Duties due and payable under and by virtue of the said recited Act relating to the said Canal shall be and they are hereby repealed, and that in lieu thereof there shall thenceforth (subject to the Provisions in this Act contained) be paid and payable to the Proprietors for the Time being of the said Canal the several Tolls and Duties mentioned and set forth in the Schedule to this Act annexed.

For regulating Bye Laws and Tolls upon the Canal.

LXVI. And be it enacted, That if at any Time Complaint shall be made to the Lords Commissioners of Her Majesty's Treasury, or to the Officers of the Department charged for the Time being with the Supervision of Railways, by any Person whomsoever, that the Bye Laws now or at any Time hereafter made or to be made by the Proprietors for the Time being of the said Canal are impolitic or unjust or operate to the prejudice or disadvantage of Persons using or desirous of using or trading upon the said Canal, or that the Amount of the Tolls, Rates, or Duties receivable or claimable by the said Proprietors for the Time being of the said Canal by virtue of this Act operate prejudically to the Persons using or intending to use the said Canal, it shall be lawful for the said Lords Commissioners or other Officers, and they are hereby required from Time to Time, when and as such Complaints shall be made, and after giving Fourteen Days Notice in Writing to the Railway and Canal Company of their Intention, to examine and inquire, or at their Discretion to appoint some competent Person to examine and inquire, into such Complaints and the Grounds thereof, and after such Examination had to make such Regulations from Time to Time as the said Lords Commissioners shall think fit with respect to the said Bye Laws, and to the Amount of all or any of the Tolls, Rates, and Duties which shall be received or claimable by the said Company by virtue of this Act, and by such

Regulations to impose such Conditions and Restrictions with regard to the said Bye Laws and the Amount of all or any Part of such Tolls, Rates, and Duties as the said Lords Commissioners shall think fit; and every such Regulation, on being published in the "*London Gazette*," shall be binding upon the said Proprietors for the Time being of the said Canal, and such Tolls, Rates, and Duties only as may be fixed thereby shall be recoverable by them until such Regulation be revoked or altered by the said Lords Commissioners.

Authorizing Amalgamation with the Sheffield and Lincolnshire Junction Railway.

LXVII. And whereas a Bill is now pending before Parliament for making a Railway, to be called the *Sheffield and Lincolnshire Junction* Railway, the Objects of which Railway are in some respects identical with the Objects of the Railway by this Act authorized, And whereas a provisional Agreement has been entered into on behalf of the Company promoting the said *Sheffield and Lincolnshire Junction* Railway and the Company hereby incorporated, for an Union of the said Companies: Be it therefore enacted, That it shall be lawful for the said Two Companies to amalgamate into One united Company, for the Purposes authorized by this Act, and which may be authorized by the said Bill; and if at any Time within Six Months after the passing of this Act the *Sheffield and Lincolnshire Junction* Railway Company shall require the Company hereby incorporated to unite the said Two Companies under the Terms of the said provisional Agreement, then and in such Case the Company hereby incorporated shall and they are hereby required to adopt such Measures as may be necessary for effecting such Amalgamation accordingly, in order that the said Agreement may be strictly fulfilled between the said Two Companies.

Railway to be subject to the Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., and 7 & 8 Vict. c. 85.

LXVIII. 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 to Railways;* be it enacted, That nothing in this Act contained shall be held to exempt the said Railway or the Railway and Canal Company from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the Railway and Company so far as the same shall be applicable thereto.

Railway to be subject to Provisions of any future general Act.

LXIX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Canal from the Provisions of any general Act relating to this Act, or of any general Act relating to Canals or relating to Canals amalgamated with Railways, or of any Act relating to the said Railway, 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 Tolls, Rates and Duties authorized to be taken by this Act.

LXX. And

Midland Railway Company to use the Line.

LXX. And be it enacted, That it shall be lawful for the *Midland* Railway Company to make use of the Line of Railway and of the Stations and Works authorized by this Act, with Engines, Carriages, and Waggons, in such Manner and upon such Terms and Conditions as shall be agreed upon between the Engineers of the respective Companies, and in case of Difference between them, by some Engineer to be appointed by the Board of Trade.

Interpretation of Act.

LXXI. And be it enacted, That in this Act and the several Acts incorporated herewith the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Constructions; that is to say,

The Expression "the Railway," shall mean the *Manchester and Lincoln Union* Railway.

The Expression "the Canal Company," shall mean the Company of Proprietors of the Canal Navigation from *Chesterfield* to the River of *Trent*.

The Expressions "the Company," or "the Railway and Canal Company," shall mean the *Manchester and Lincoln Union* Railway, and *Chesterfield and Gainsborough* Canal Company.

Public Act.

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

SCHEDULE

OF

The HIGHEST CHARGES to be made by the Company on all Goods passing along the CHESTERFIELD CANAL.

For Tonnage of general Merchandize, Grain, Timber, and Iron, per Mile One Penny.

For Coal, One Penny per Ton per Mile for the first Thirty Miles from Chesterfield, and then free for the Remainder of the Distance if delivered in the Canal; but for Coal going into the Trent beyond Stockwith, Three Shillings and Sixpence per Ton, and a Drawback of Two Shillings per Ton shall be allowed on all Coal delivered in the Trent, but if going Coastwise or beyond Seas a Drawback of Two Shillings and Sixpence shall be allowed.

For Stone, a Tonnage of One Penny Halfpenny per Mile for the first Twenty Miles from the Place of loading, and after the first Twenty Miles nothing.

For Manures, One Halfpenny per Ton per Mile.

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