CHAPTER xcvi.

An Act to enable the Great Central Railway Company to make new works to acquire additional lands to stop up certain roads or footpaths to extend the time for the compulsory purchase of certain lands for the completion of certain railways and for the sale of superfluous lands by the Cheshire Lines Committee and the Sheffield and Midland Railway Companies Committee to raise additional capital and for other purposes. A.D. 1899.

[13th July 1899.]

WHEREAS it is expedient that the Great Central Railway Company (herein-after called "the Company") should be authorised to construct the works herein-after described:

And whereas it is expedient that the Company should be authorised to acquire by compulsion or agreement for the purposes of their undertaking the lands herein-after described in the several counties of Lincoln and Nottingham and the county borough and city of Lincoln:

And whereas it is expedient that the times respectively limited by the Acts relating to the Company for the compulsory purchase of certain lands and for the completion of such of their railways as are herein-after mentioned should be extended as herein-after provided:

And whereas it is expedient that the time limited by the Great Central Railway Act 1897 (herein-after referred to as "the Act of 1897") for the completion of the railways described in section 8 of the Cheshire Lines Act 1890 should be extended as herein-after provided:

And whereas it is expedient that the time limited by the Act of 1897 for the completion of certain portions of the railways authorised by the Wirral Railway Certificate 1883 and also of the railways authorised by the Wirral Railway Act 1884 and the Wirral Railway Act 1888 should be extended as herein-after provided:

[*Price* 1*s.* 3*d.*]

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And whereas it is expedient that the Sheffield and South Yorkshire Navigation Company (the whole ordinary stock of which Company is held by the Great Central Railway Company) should be authorised to abandon the diversion of railway in the township of Keadby authorised by the Sheffield and South Yorkshire Navigation Act 1889 and that the Sheffield and South Yorkshire Navigation Company should be released from all liabilities obligations and penalties in respect of the non-completion of the said diversion as herein-after provided:

And whereas it is expedient that the time limited by the Acts of the Company for the sale of superfluous lands of the Cheshire Lines Committee and the Sheffield and Midland Railway Companies Committee should be extended:

And whereas it is expedient that powers should be granted to the Company to run over and use certain portions of the railways of the North Staffordshire Railway Company as herein-after provided:

And whereas it is expedient that the Company should be authorised to raise such further capital as may be necessary for the several purposes by this Act authorised and for the general purposes of their undertaking:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also books of reference thereto containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act and plans of the other lands by this Act authorised to be taken compulsorily with books of reference thereto were duly deposited with the respective clerks of the peace for the counties of Nottingham Lancaster Northampton for the West Riding of the county of York for the parts of Lindsey in the county of Lincoln and for the county borough and city of Lincoln and are herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited as the Great Central Railway Act 1898.

PART I.—PRELIMINARY.

Division of Act into parts.

2. This Act is divided into parts as follows:—

Part I.—Preliminary.

Part II.—New works &c.
Part III.—Capital.
Part IV.—Extensions of time.
Part V.—Miscellaneous.

Incorporation of Acts.

3. The Lands Clauses Acts Part II. (relating to extension of time) of the Railways Clauses Act 1863 the clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to—

The distribution of the capital of the Company into shares;
The transfer or transmission of shares;
The payment of subscriptions and the means of enforcing the payment of calls;
The forfeiture of shares for non-payment of calls;
The remedies of creditors of the Company against the shareholders;
The borrowing of money by the Company on mortgage or bond;
The conversion of the borrowed money into capital;
The consolidation of the shares into stock;
The general meetings of the Company and the exercise of the right of voting by the shareholders;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;

and Parts I. II. and III. of the Companies Clauses Act 1863 as amended by subsequent Acts relating respectively to the cancellation and surrender of shares to additional capital and to debenture stock are (except where expresly varied by this Act) incorporated with and form part of this Act.

Interpretation.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act the expression—

"The Company" means the Great Central Railway Company;
"The Act of 1866" means the Manchester Sheffield and Lincolnshire Railway (Additional Powers) Act 1866;
"The Act of 1888" means the Manchester Sheffield and Lincolnshire (New Railways) Act 1888;
"The Act of 1889" means the Sheffield and South Yorkshire Navigation Act 1889;
"The Extension to London Act" means the Manchester Sheffield and Lincolnshire Railway (Extension to London &c.) Act 1893;

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"The Act of 1894" means the Manchester Sheffield and Lincolnshire Railway Act 1894;

"The Act of 1897" means the Great Central Railway Act 1897;

"The Sheffield and Midland Committee" means the Sheffield and Midland Railway Companies Committee;

"The Staffordshire Company" means the North Staffordshire Railway Company;

"The Navigation Company" means the Sheffield and South Yorkshire Navigation Company.

PART II.—NEW WORKS &c.

Power to construct works.

5. Subject to the provisions of this Act the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the works herein-after described with all proper approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose The works herein-before referred to and authorised by this Act are—

The taking down and removal of the bridge situate wholly in the parish of Attercliffe-cum-Darnall and the county borough of Sheffield in the West Riding of the county of York which said bridge carries an occupation road or highway called Woodbourn Road over the railway of the Company and the reconstruction of the same on the site thereof commencing at the southern end of the existing bridge and terminating at a point eight yards or thereabouts measured in a northerly direction from the northern end thereof.

For protection of Duke of Norfolk.

6. For the protection of the most noble Henry Duke of Norfolk and his sequels in estate (who are in this section referred to as and included in the expression "the owner") the following provisions shall unless otherwise agreed between the owner and the Company have effect (that is to say):—

(1) The Company shall not acquire any portion of the property numbered on the deposited plans 4 in the parish of Attercliffe-cum-Darnall without the previous consent in writing of the owner:

(2) The Company shall construct a dry rubble retaining wall in line with the boundary wall on the eastern side of Woodbourn Road up to the level to which that road is raised under the provisions of this Act together with a fence wall thereon of a height of not less than four feet six inches above the level of the road as so raised Such walls shall be the property of the

owner but shall be maintained by the Company until the said property numbered 4 is built upon :

(3) The owner shall permit the Company to enter upon the said property numbered 4 for the purpose of constructing and maintaining the said retaining wall as herein-before provided :

(4) Such walls shall be constructed and completed and thereafter maintained as aforesaid to the reasonable satisfaction of the agent of the owner and in accordance with plans and sections to be previously submitted to and approved by him :

(5) The Company shall make up metal and channel to the satisfaction of the surveyor of the city of Sheffield, so much of Woodbourn Road as may be interfered with in the exercise of the powers of this Act and shall keep the same in repair to the like satisfaction and shall also make up metal and channel to the satisfaction of the said agent of the owner so much of the road numbered on the deposited plans 5 in the said parish as may be interfered with in the exercise of the powers of this Act.

Power to divert and alter roads as shown on deposited plans.

7. Subject to the provisions of this Act the Company may divert and alter the public roads and paths herein-after mentioned to the extent and in the manner shown upon the deposited plans and sections and when and as in each case the new portion of any road or path is made to the satisfaction of two justices and is open for public use the Company may stop up and cause to be discontinued as a road or path the whole or so much of the existing road or path shown on the deposited plans as will be rendered unnecessary by the new portion of road or path (that is to say) :—

County of Lancaster—

The public footpath in the parish of Ashton-under-Lyne in the borough of Ashton-under-Lyne extending from the Approach Road to the Company's Guide Bridge Station to the point where it joins the footpath leading from Ashton-under-Lyne to Hooley Hill and may construct and substitute in lieu thereof a new footpath to commence and terminate at the same points as the footpath intended to be stopped up now commences and terminates :

County of Nottingham—

So much of a public footpath in the parish of East Leake running between the villages of East Leake and West Leake as lies between the village of East Leake and the western boundary fence of the railway of the Company and may construct and substitute in lieu thereof a new footpath wholly in the said parish of East Leake running along the western side of the railway of the Company

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commencing at the point on the western boundary of that railway where the existing footpath is intended to be stopped up and terminating at the public highway leading between East Leake and West Leake at a point on that road distant one and a half chains or thereabouts measured in a westerly direction from the centre of the bridge carrying the railway of the Company over that road :

County of Northampton—

So much of the public footpaths bridleways and highways in the parishes of Catesby and Charwelton both in the rural district of Daventry as are shown on the plans relating to Railway No. 3 authorised by the Extension to London Act deposited in the month of November 1891 with the clerk of the peace of the said county of Northampton as passing through the fields numbered respectively 2 6 7 and 8 in the said parish of Charwelton and the field No. 41 in the said parish of Catesby commencing at a point on the said footpath or bridleway in the said field No. 41 distant 5 · 75 chains or thereabouts measured along the said footpath in a north-westerly direction from the point where the said footpath crosses the boundary between the parishes of Catesby and Charwelton and terminating as regards one branch of that footpath at the centre of the bridge carrying the highway from Catesby to Charwelton over the railway of the Company and as regards the other branch of that footpath terminating at a point thereon distant nine chains or thereabouts measured in a north-westerly direction from the centre of the said bridge and may construct and substitute in lieu thereof a new footpath and bridleway commencing at the point herein-before described as the commencement of the diversion in the said field No. 41 and terminating in the public road and adjacent to the old bridge over the River Cherwell at Charwelton ;

So much of the public footpath in the parish of Moreton Pinkney as is situate between a point five chains or thereabouts measured in a south-easterly direction from the centre of the bridge crossing over the Railway No. 2 authorised by the Act of 1897 and a point eight chains or thereabouts measuring in a south-westerly direction from the centre of the said bridge and may construct and substitute in lieu thereof a new footpath commencing at the commencement of the diversion of the existing footpath thence passing over the said bridge and terminating at the termination of the diversion of the existing footpath ;

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So much of the public footpath in the parish of Culworth as is situate between a point sixteen chains or thereabouts measured in a south-easterly direction from the centre of the bridge over the said Railway No. 2 authorised by the Act of 1897 and a point fifteen chains or thereabouts measured in a north-easterly direction from the centre of the said bridge and may construct and substitute in lieu thereof a new footpath commencing at the commencement of the diversion of the footpath and thence passing over the said bridge and terminating at the termination of the diversion;

So much of the public footpath in the parish of Woodford-cum-Membris leading from a green lane near the village of Woodford Halse to the highway running between Woodford Halse and Hinton as lies between the eastern boundary and the centre line of the railway of the Company at or near the bridge carrying the railway over the aforesaid highway.

Appropriation of sites of roads &c. stopped up.

8. When and so soon as each of the said roads or paths or any part thereof is so stopped up all rights of way over the same shall cease and the Company may subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway appropriate and use for the purposes of their undertaking the site of the roads or paths stopped up so far as the same are bounded on both sides by the lands of the Company.

Inclination of roads.

9. In altering for the purposes of this Act the road next herein-after mentioned the Company may make the same of any inclination not steeper than the inclination herein-after mentioned in connexion therewith (that is to say):—

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
1	Attercliffe - cum - Darnall.	Woodbourn Road	1 in 13

Power to Company to acquire lands for general purposes.

10. Subject to the provisions of this Act the Company in addition to the other lands which they are by this Act authorised to acquire may from time to time enter upon take use and appropriate for the purposes of their undertaking all or any of the lands herein-after mentioned delineated on the deposited plans and described in the deposited books of reference (that is to say):—

County of Lincoln (parts of Lindsey)—

Certain lands houses and buildings situate in the parish of Scunthorpe in the urban district of Scunthorpe and in the

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parish of Frodingham in the urban district of Brumby and Frodingham adjoining the goods yard and station of the Company and abutting on the northern side thereof and bounded at the western end thereof by the public road leading from Scunthorpe to Brigg;

Certain other lands houses and buildings situate in the parish of Scunthorpe aforesaid abutting on the south side of the Company's railway and lying between the public road leading from Scunthorpe to Brigg and the public road leading from Scunthorpe to Appleby;

Certain other lands houses and buildings situate in the parish of Scunthorpe aforesaid abutting on the south side of the Company's railway and lying between the public road leading from Scunthorpe to Appleby and the North Lincoln signal box on the Company's railway there;

Certain other lands houses and buildings situate in the parish of Saint Mark in the county borough and city of Lincoln bounded on the east by the River Witham and on the south by Saint Mark's Lane and Holmes Bridge and on the north by the boundary between the parishes of Saint Mark and Saint Mary-le-Wigford with Holmes Common:

County of Nottingham—

Certain other lands and works in the parish of Kirkby-in-Ashfield in the urban district of Kirkby-in-Ashfield bounded on the south by the Midland Railway and on the north in part by the private railway or tramway leading to the Pinxton Colliery and in other part by the northern fence of that private railway or tramway.

Navigation of River Witham not to be interfered with.

11. Nothing in this Act contained with reference to the powers hereby granted to the Company to take the lands houses and buildings herein-before described in the parish of Saint Mark in the county borough and city of Lincoln bounded on the east by the River Witham shall authorise or enable the Company to acquire any part of the bed banks foreshore or channel of that river belonging to the Great Northern Railway Company or in any way to interfere with or impede the free use of the river for the purposes of navigation where the same passes in front of the lands so authorised to be taken.

Works to form part of Company's undertaking.

12. The works by this part of this Act authorised shall for all purposes be deemed to be part of the Company's undertaking.

Power to take easements &c. by agreement.

13. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement

right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Land for extraordinary purposes.

14. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed five acres but nothing in that Act or in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so taken.

Period for compulsory purchase of lands.

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

Period for completion of works.

16. If the works be not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Part III.—Capital.

Power to Company to apply funds to purposes of Act.

17. The Company may apply for the purposes of this Act which they are empowered to carry into effect and to which capital is properly applicable any moneys which they now have in their hands or which they have power to raise by shares or mortgage or debenture stock and which may not be required for the purposes for which the same were authorised to be raised.

Power to Company to raise additional capital.

18. The Company may for the purposes of this Act and for the general purposes of their undertaking subject to the provisions of Part II. of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole two hundred and fifty thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

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New shares or stock to be subject to same incidents as other shares or stock.

19. Except as by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital.

The capital in new shares or stock so created shall form part of the capital of the Company.

Dividends on new shares or stock.

20. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called up and paid on such new shares or to the whole amount of such stock as the case may be.

Receipt clause in case of persons not sui juris.

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

Power to borrow.

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

are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Power to create debenture stock.

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

Existing mortgages to have priority.

24. All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and bonds and subject to the provisions of the Acts under which such mortgages and bonds were respectively granted have priority over the principal moneys secured by any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

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

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

Appointment of a receiver.

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

Application of moneys.

27. All moneys raised under this Act whether by shares stock debenture stock or borrowing shall be applied to the purposes of this Act and to the general purposes of the undertaking of the

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Company being in every case purposes to which capital is properly applicable.

Part IV.—Extensions of Time.

Extension of time for widening main line between Gorton and Hyde Junction.

28. The time limited by section 31 of the Act of 1897 for the widening and improvement of the main line of the Company between Gorton and Hyde Junction authorised by the Act of 1866 and described in sub-section (1) of section 4 thereof is hereby extended for two years from the fourteenth day of June one thousand eight hundred and ninety-nine and on the expiration of that period the powers to execute the said works shall cease.

Extension of time for completion of Wirral Railway works.

29. The time limited by section 28 of the Act of 1897 for the completion of the railways authorised by the Wirral Railway Certificate 1883 (other than the railways and portion of railway by the Wirral Railway Act 1888 directed to be abandoned) and also of the railways authorised by the Wirral Railway Act 1884 and the Wirral Railway Act 1888 is hereby further extended for a period of two years from the first day of July one thousand eight hundred and ninety-nine and on the expiration of that period the powers for the construction of the said railways shall cease.

Extension of time for completion of railways authorised by Cheshire Lines Act 1890.

30. The time limited by section 29 of the Act of 1897 for the completion of the railways described in section 8 of the Cheshire Lines Act 1890 is hereby further extended for a period of two years from the twenty-fifth day of July one thousand eight hundred and ninety-nine and on the expiration of that period the powers for the completion of the said railways shall cease.

Extension of time for completion of certain railways authorised by Act of 1888.

31. The time limited by section 32 of the Act of 1897 for the compulsory purchase of lands and for the completion of the railways Nos. 2 3 4 and 5 authorised by the Act of 1888 and described in section 5 of that Act is hereby further extended for two years from the fifth day of July one thousand eight hundred and ninety-nine and on the expiration of that period the powers of the Company for such compulsory purchase and for the completion of the said railways shall cease.

Extension of time for compulsory purchase of lands for and for completion of Railway No. 2 authorised by Act of 1894.

32. The times limited by section 33 of the Act of 1897 for the compulsory purchase of lands for Railway No. 2 authorised by the Act of 1894 and described in section 4 thereof and by the Act of 1894 for the completion of that railway are hereby extended for a period of two years from the twentieth day of July one thousand eight hundred and ninety-nine and on the expiration of that period the powers of the Company for such compulsory purchase and for the completion of the said railway shall cease.

Extension of time for completion of Deviation Railway No. 3 authorised by Act of 1894.

33. The time limited by the Act of 1894 for the completion of the Deviation Railway No. 3 authorised by that Act and described in section 4 thereof is hereby extended for a period of two years from the twentieth day of July one thousand eight hundred and ninety-nine.

Part V.—Miscellaneous.

Power to run over portion of North Staffordshire Railway &c.

34.—(1) The Company may run over and use with their engines carriages and waggons officers and servants whether in charge of engines and trains or for any other purpose whatsoever and for the purposes of traffic of every description—

So much of the railway of or belonging to the Staffordshire Company as lies between the junctions of that railway at or near Egginton in the county of Derby with the railway of the Great Northern Railway Company and the junctions at or near Burton in the county of Derby of the railway of the Staffordshire Company with the railways of the Midland Railway Company and the London and North Western Railway Company and with the sidings and works of the Great Northern Railway Company respectively:

Together with all stations roads platforms points signals water water engines engine sheds standing room for engines booking and other offices warehouses sidings junctions machinery works and conveniences on or connected with the said portion of the railway of the Staffordshire Company.

(2) The terms conditions and regulations to be observed and fulfilled and the tolls charges rent or other considerations to be paid by the Company for and in respect of the use of the said portion of railway works and conveniences shall be such as may be agreed upon between the Company and the Staffordshire Company or failing agreement as may be determined on the application of either of the Companies by the Railway and Canal Commissioners or any two of them but so that the Company shall not run over so much of the said portion of railway as aforesaid upon terms less favourable to the Staffordshire Company than those comprised in the agreement dated the twenty-fourth day of May one thousand eight hundred and ninety-eight made between that company and the Great Northern Railway Company scheduled to and confirmed by the Great Northern Railway Act 1898 or any modification of that agreement.

(3) In running over or using the said portion of the railway of the Staffordshire Company and using any stations sidings and conveniences connected therewith in accordance with the provisions in this section contained the regulations and byelaws for the time

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being in force on the railway so used shall be at all times observed so far as such byelaws shall be applicable.

Power to run over Pinxton Colliery Railway.

35.—(1) The Company may run over and use with their engines and waggons officers and servants whether in charge of engines and trains or for any purpose whatsoever and for the purposes of traffic of every description—

So much of the private railway or tramway in the parish of Kirkby-in-Ashfield in the county of Nottingham belonging or reputed to belong to the Pinxton Colliery Company and others as is necessary to give the Company access from their Langton Colliery Branch Railway to the sidings laid down by them between the Midland Railway and the said Colliery Branch Railway :

Together with all roads platforms points signals water water engines standing room for engines booking and other offices sidings junctions works and conveniences on or connected with the said private railway.

(2) The terms conditions and regulations to be observed and fulfilled and the tolls charges rent or other considerations to be paid by the Company for and in respect of the use of the said private railway works and conveniences shall be such as may be agreed upon between the Company and the Pinxton Colliery Company or failing agreement as may be determined on the application of either of the companies by the Railway and Canal Commissioners or any two of them.

(3) In running over or using the said private railway and using any stations and conveniences connected therewith in accordance with the provisions in this section contained the regulations and byelaws for the time being in force on the railway so used shall be at all times observed so far as such byelaws shall be applicable.

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

36. Notwithstanding anything in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Cheshire Lines Committee with which that Act is incorporated the periods for and within which the Cheshire Lines Committee may retain and hold any superfluous lands connected with their railway which have not yet been applied to the purposes for which they were acquired are hereby extended for the periods following (that is to say) As regards such of the said lands as are situate near to or adjoining any railway or station of the Cheshire Lines Committee for the period of ten years from the seventh day of August one thousand eight hundred and ninety-nine and as regards the other of the said lands for the period of three years from the seventh day of August one thousand eight hundred and ninety-nine but the Cheshire Lines Committee shall at the expiration of those respective

periods sell and absolutely dispose of as superfluous lands all such parts of those lands as shall not then have been applied to or are not then required for the purposes of their undertaking. A.D. 1899.

Extending time for sale of superfluous lands of Sheffield and Midland Committee.

37. Notwithstanding anything in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Sheffield and Midland Committee with which that Act is incorporated the periods for and within which the Sheffield and Midland Committee may retain and hold any superfluous lands connected with their railway which have not yet been applied to the purposes for which they were acquired are hereby extended for the periods following (that is to say) As regards such of the said lands as are situate near to or adjoining any railway or station of the Sheffield and Midland Committee for the period of ten years from the seventh day of August one thousand eight hundred and ninety-nine and as regards the other of the said lands for the period of three years from the seventh day of August one thousand eight hundred and ninety-nine but the Sheffield and Midland Committee shall at the expiration of those respective periods sell and absolutely dispose of as superfluous lands all such parts of those lands as shall not then have been applied to or are not then required for the purposes of their undertaking.

Restriction on taking houses of labouring class.

38. The Company shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

For the purposes of this section the expression "labouring class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Power to Sheffield and South Yorkshire Navigation Company to abandon one of their authorised railways.

39. The Navigation Company shall abandon the construction of the diversion of the railway and siding of the Company leading from Keadby Junction to Keadby Station authorised by the Act of 1889 and therein described as Work No. 11.

Compensation for damage to land by

40. The abandonment by the Navigation Company under the authority of this Act of the said diversion of railway shall not prejudice or affect the right of the owner or occupier of any land

A.D. 1899.

entry &c. for purposes of portion of railway abandoned.

to receive compensation for any damage occasioned by the entry of that company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of the said diversion and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by that company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or in the Act of 1889.

Compensation to be made in respect of portion of railway abandoned.

41. Where before the passing of this Act any contract has been entered into or notice given by the Navigation Company for the purchasing of any land for the purposes of or in relation to the diversion of railway authorised to be abandoned by this Act that company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by that company to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Release of deposit.

42. Subject to the provisions of this Act and of section 50 of the Act of 1889 with respect to compensation to landowners or other persons injured and for the protection of creditors the High Court may at any time after the passing of this Act on application by or on behalf of the depositors referred to in section 49 of the Act of 1889 order that the sum of one thousand and six pounds mentioned in the Act of 1889 with any interest or dividends then due on the said sums be paid and transferred to the depositors or to such person or persons as they may appoint in that behalf and upon such order being made the said sum of one thousand and six pounds shall be transferred and paid to the depositors or to such person or persons accordingly.

Interest on calls not to be paid out of capital.

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

actually made as is in conformity with the Companies Clauses Consolidation Act 1845. A.D. 1899.

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

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

Provision as to general Railway Acts.

45. Nothing in this Act shall exempt the Company or any company to which powers are by this Act granted or the railways of the Company or of any other company from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels which the Company and any company to which powers are by this Act granted are authorised to take.

Costs of Act.

46. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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