CHAPTER xix.

An Act to confer further powers upon the Great Northern Railway Company with respect to their own undertaking and undertakings in which they are jointly interested and for other purposes. [11th May 1891.]

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WHEREAS it is expedient that the Great Northern Railway Company (who are meant when the term "the Company" is herein-after used) should be authorised—

General purposes of Act.

To make and maintain the railways and works and to alter and divert the roads herein-after described;

To purchase and acquire additional lands for the purposes of their undertaking; and

Additional capital.

To raise capital for the purposes of this Act and also to raise additional capital for the improvement and enlargement of their railways stations and works and the construction of new stations and sidings and for the providing of additional rolling stock and other the general purposes of their undertaking:

Great Northern and Great EasternJoint Committee. 42 & 43 Vict. c. cx.

And whereas it is expedient that the Great Northern and Great Eastern Joint Committee constituted under the powers of the Great Northern and Great Eastern Railway Companies Act 1879 should be enabled to exercise the powers herein-after described in the parts of Kesteven in Lincolnshire:

43 & 44 Vict. c. cxl.

And whereas under the powers in that behalf contained in the Great Northern Railway Act 1880 the said Joint Committee or the Company alone have constructed in the parts of Kesteven in Lincolnshire a deviation railway (herein-after referred to as "the Washingborough Branch Railway") 1 mile 9·20 chains in length commencing in the parish of Washingborough by a junction with the loop line of the Company and terminating in the parish of Canwick and it is expedient that the said deviation railway should be transferred to and vested in the Company:

And whereas the railways of the Company and of the Manchester Sheffield and Lincolnshire Railway Company in the borough of

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Grimsby are crossed on the level by certain roads and footpaths and the mayor aldermen and burgesses of the said borough (hereinafter referred to as "the Corporation of Grimsby") are proceeding to construct a new road and approaches avoiding by means of a subway under the said railways the necessity for the continuance of the said level crossings and the Company are willing to contribute towards the cost of such new road and it is expedient that the Company and the Corporation of Grimsby should be authorised to enter into and fulfil agreements with respect to such contribution and that the further provisions herein-after contained should be made with respect to the abolition of the said level crossings and the vesting of the sites thereof in the Company and the Manchester Sheffield and Lincolnshire Railway Company respectively:

Superfluous lands.

And whereas it is also expedient that the time prescribed for the sale of lands acquired by the Company and by the Company jointly with other companies under the powers of various Acts and not yet applied to the purposes of the undertakings in respect of which they were so acquired should be extended:

And whereas it is expedient that the other provisions herein-after contained should be made:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas plans and sections showing the lines and levels of the railways and other works authorised by this Act and the lands to be taken for the purposes thereof and plans of the additional lands authorised to be acquired under the powers of this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of all such lands so far as those documents relate to lands in each county or division herein-after mentioned were duly deposited with the clerks of the peace for the west riding of Yorkshire and for the counties of Bedford Huntingdon London Middlesex Hertford Northampton Nottingham and the parts of Kesteven and the parts of Lindsey in Lincolnshire and the said documents are herein-after respectively referred to as the deposited plans sections and books of reference:

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 Northern Railway Act 1891.

Incorporation of general Acts.

2. The following Acts and parts of Acts are (excepting where the same are expressly varied by this Act) incorporated with and form part of this Act namely :—

The Lands Clauses Acts ;

The Railways Clauses Consolidation Act 1845 ; and

Part I. (Construction of a railway) and Part V. (Amalgamation) of the Railways Clauses Act 1863.

Extending certain provisions of the Companies Clauses Consolidation Acts.

3. Subject to the provisions of this Act the provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say) :—

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 borrowed money into capital ;

The consolidation of 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 relating respectively to the cancellation and surrender of shares to additional capital and to debenture stock shall be applicable to the capital and moneys hereby authorised to be raised by shares or stock or mortgage and to the proprietors thereof.

Interpretation.

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

"The railways" means the railways by this Act authorised :

"Parish clerks" and "clerks of the several parishes" in sections 7, 8 and 9 of the Railways Clauses Consolidation Act 1845 shall with reference to the Company and as regards the parish of Saint Mary Islington mean the vestry clerk of the said parish and as regards the parish of Saint Sepulchre and the liberty of Saffron Hill mean the clerk of the Holborn District Board of Works ;

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And for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partly incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt and not a debt or demand created by statute.

Power to make new railways &c.

5. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the new railways and the widening of portions of their existing railways (including in such widening the altering and improving of and the laying down of additional lines of rails upon the said portions) and works herein-after described with all proper stations sidings approaches works and conveniences connected therewith respectively and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes and may stop up or divert such streets roads and footpaths as are shown on the said plans of the said railways and works as intended to be stopped up or diverted:

The new railways widenings and works herein-before referred to and authorised by this Act are:—

NEW RAILWAYS.

Railway at Farringdon Road and openings under Charterhouse Street.—A railway (No. 1) 1 furlong 2·55 chains in length wholly in the county of London commencing in that part of the parish of Saint Sepulchre which is without the city of London by a junction with the "railway at Farringdon Street" authorised by the Great Northern Railway (Various Powers) Act 1890 and terminating in that part of the parish of Saint Sepulchre which is within the city of London at or near the north-east side of Snow Hill about fifty-seven yards measured along the said north-east side of Snow Hill from the east side of Farringdon Road.

Railway at Stanningley.—A railway (No. 9) 3 furlongs 1·90 chains in length wholly in the west riding of Yorkshire commencing in the township of Calverley-cum-Farsley in the parish of Calverley by a junction with the Leeds Bradford and Halifax Line of the Company at a point about fifty-five yards west of the viaduct at Stanningley Station and terminating in the township of Pudsey in the said parish of Calverley by a junction with the said line at a point about forty-seven yards west of the Stanningley east signal box.

Railway at Laister Dyke.—A railway (No. 10) 5 furlongs 0·80 chains in length wholly in the said parish of Calverley commencing in the township of Calverley-cum-Farsley by a junction with the Idle and Shipley Branch of the Company at a point near the bridge carrying the public road known as Dick Lane over the said branch and terminating in the township of Pudsey by a junction with the Leeds Bradford and Halifax Line of the Company near the level crossing of the said line known as Duckett's Crossing.

Railway at Keighley.—A railway (No. 11) 2 furlongs 0·75 chains in length wholly in the township of Keighley in the parish of Keighley in the said west riding commencing by a junction with the Thornton and Keighley Railway of the Company near the bridge carrying the Keighley and Worth Valley Railway of the Midland Company over the said Thornton and Keighley Railway and terminating at a point about eighteen yards from the south-western boundary of Low Mill Road.

WIDENINGS AND IMPROVEMENT OF EXISTING RAILWAYS.

Hatfield to Digswell.—A widening of the main line of the Company on both sides thereof wholly in Hertfordshire commencing in the parish of Hatfield by a junction with the said main line at a point about one hundred and forty-three yards south of the bridge carrying the public road leading from Hatfield to Welwyn over the said main line and terminating in the parish of Digswell by a junction with the said main line at a point about one hundred and three yards south of the southern end of the viaduct known as Digswell or Welwyn Viaduct carrying the said main line over the River Maran otherwise Mimram:

Provided that the Company shall not use the said widening until they have constructed and opened to the public a bridge or subway to take the public road numbered on the deposited plans 28 in the parish of Hatfield over or under the said railway as widened.

Abbot's Ripton to Peterborough.—A widening of the main line of the Company on both sides thereof wholly in Huntingdonshire commencing in the parish of Abbot's Ripton by a junction with the said main line at a point opposite the northern end of the up platform at the Abbot's Ripton Station and terminating in the parish of Fletton by a junction with the said main line at a point about seventy yards north of the bridge carrying the said line over the public road known as the Oundle Road and leading from Peterborough to Oundle.

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Werrington Junction to Helpstone.—A widening of the main line of the Company on both sides thereof wholly in Northamptonshire commencing in the parish of Werrington by a junction with the said main line at a point about one hundred yards measured in a north-westerly direction from the signal box at Werrington Junction and terminating in the parish of Helpstone by a junction with the said main line at a point about twenty yards south-east of the level crossing of the railway by the public road leading from Glinton to Helpstone.

Corby to Stoke.—A widening of the main line of the Company on both sides thereof wholly in the parts of Kesteven in Lincolnshire commencing in the parish of Corby by a junction with the said main line at a point about thirty yards north-west of the bridge at the north-western end of Corby Station carrying the said line over the public road leading from Corby to Colsterworth and terminating in the parish of Bassingthorpe by a junction with the said main line at a point about sixty-three yards measured in a south-easterly direction from Stoke Tunnel.

Luton to Dunstable.—A widening of the Luton and Dunstable Branch of the Company on both sides thereof commencing in the parish of Luton in Bedfordshire by a junction with the said Luton and Dunstable Branch at a point about fifty-two yards north-west of the footbridge crossing over the said branch at Luton Station and leading from the Midland Road to Bute Street and terminating in the parish of Houghton Regis in Bedfordshire by a junction with the railway of the London and North-Western Railway Company at a point about seventy-four yards measured along that railway in a south-westerly direction from a point on that railway opposite the western end of the station buildings at the Dunstable Station :

Provided that the Company shall not use the said widening until they have constructed and opened to the public a bridge to carry the public road numbered on the deposited plans 83 in the parish of Luton over the said railway as widened.

Railways to form part of Great Northern Railway.

6. The foregoing new railways and widenings of railways and the works connected therewith respectively executed under the authority of this Act shall for the purposes of tolls rates and charges and all other purposes whatsoever be part of the Great Northern Railway and be comprised in the undertaking of the Company.

Period for completion of railways.

7. If the railways authorised by this Act are not completed within five years from the passing of this Act then on the expiration

of that period the powers by this Act granted for making and completing the railways or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Penalty unless new railways are opened within the time limited.

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

Application of penalty.

9. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the new railways or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the sum or sums of

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money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent and has been ordered to be wound up or the railways or railway in respect of which the penalty shall have been incurred have or has been abandoned be paid to such receiver or to the liquidator or liquidators of the Company or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid to the Company.

Power to cross certain roads on the level.

10. Subject to the provisions in the Railways Clauses Consolidation Act 1845 and in Part I. (relating to the construction of a railway) of the Railways Clauses Act 1863 contained in reference to the crossing of roads on the level the Company may in the construction of the railways or widenings carry the same with a single line only whilst the railways shall consist of a single line and afterwards with a double line only across and on the level of the roads next herein-after mentioned (that is to say) :—

No. on deposited Plan.	Parish.	Description of Road.
26	Connington	Public.
14	Holme	Public.
41 and 44	Holme	Public.
6	Werrington	Public.
8	Etton	Public.

Provided that in the case of the said road numbered on the deposited plans 14 in the parish of Holme the Company shall not lay more than one additional line of rails unless the siding crossing that road on the level shall be removed Provided also that the Company shall within twelve months after the passing of this Act construct and thenceforward maintain across the Abbot's Ripton to Peterborough widening and the Werrington Junction to Helpstone widening footbridges to carry the footways of the public roads numbered respectively on the deposited plans 26 in the parish of Connington 41 and 44 in the parish of Holme 6 in the parish of Werrington and 8 in the parish of Etton over the said respective widenings.

11. The Company may make the arches of the bridges for carrying the railways or widenings over the roads next mentioned of any heights and spans not less than the heights and spans herein-after mentioned in connexion therewith respectively (that is to say):— Height and span of bridges.

No. on deposited Plans.	Parish.	Description of Road.	Height.	Span.
			ft. in.	feet.
48	Yaxley - -	Public - -	14 6	12
55	Fletton - - -	Public - - -	15 0	35
21	Luton - -	Public - -	14 0	25
30	Luton - - -	Public - - -	14 6	35
39	Luton - -	Public - -	14 6	25
13	Caddington - -	Public - - -	14 9	25
67	Houghton Regis -	Public - - -	14 6	25

12. The Lancashire and Yorkshire Railway Company may have and exercise over the railway at Stanningley and the railway at Laister Dyke by this Act authorised and over so much of the Idle and Shipley Branch Railway of the Company as is situate between the junctions of that railway with the railway authorised by the Leeds Bradford and Halifax Junction Railway Act 1852 and the said railway at Laister Dyke including those junctions the same powers and privileges as are conferred on that Company by section 46 of the Leeds Bradford and Halifax Junction Railway Act 1852 with respect to the railway by that Act authorised. Powers to Lancashire and Yorkshire Railway Company.

13. The provisions of section 13 of the Great Northern Railway (Various Powers) Act 1890 so far as they relate to the sewers under the jurisdiction or control of the London County Council shall extend and apply to and in relation to the works by this Act authorised so far as those works affect the said sewers. For protection of sewers in the metropolis.

14. Notwithstanding anything in this Act contained the following provisions for the protection of the property rights and interests of the London Chatham and Dover Railway Company (in this section called "the Chatham Company") shall take effect and be binding on the Company (that is to say):— For the protection of the London Chatham and Dover Railway Company.

(1) For the purposes of the railway (No. 1) by this Act authorised the Company shall not acquire any ownership of or in any land or property of the Chatham Company but the Company

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shall acquire only such easement or right as may be necessary to enable the Company to construct the said railway in and through the same.

(2) The Company shall not enter upon or interfere with the London Chatham and Dover Railway or any of the lands or works of the Chatham Company or execute any work whatsoever under or affecting the same until there shall have been delivered to the principal engineer for the time being of the Chatham Company by the Company plans and drawings and specifications of the works intended to be executed under or affecting the London Chatham and Dover Railway and the lands and works thereof such plans drawings and specifications to describe the manner of executing the intended works and the materials to be used for the purpose nor until the plans drawings and specifications have been examined and approved in writing by the said engineer of the Chatham Company or in the event of his disapproving of the same then until the same have been examined and approved by an engineer to be agreed on or appointed in default of agreement at the request of either company by the President of the Institution of Civil Engineers Provided that if the said engineer of the Chatham Company fail for one month after the delivery to him of the said plans drawings and specifications to signify his disapproval thereof the Company may execute their works in accordance therewith The said works shall be executed by the Company at their sole expense and shall in like manner be subsequently maintained by the Company in all things according to the approved plans drawings and specifications under the superintendence and to the reasonable satisfaction of the engineer of the Chatham Company.

(3) If by reason of any of the works or proceedings of the Company with reference to the said railway (No. 1) there shall be any obstruction of or interference with the London Chatham and Dover Railway so as to prevent the convenient use of the same and passage of engines and carriages thereon the Company shall pay to the Chatham Company the sum of twenty pounds by way of ascertained damages for every hour during which such obstruction or interference continues.

(4) The Company shall from time to time be responsible for and shall make good to the Chatham Company all costs losses damages and expenses from time to time occasioned to that company or to their railway or to any of their works or property or to the traffic thereon or to any person or persons using the same or otherwise by reason of the execution or

failure of any of the works of or incident to the making and maintaining of the said railway (No. 1) or any act or omission of the Company or any of the persons in their employ or their contractors or others and the Company shall effectually indemnify and hold harmless the Chatham Company from all claims and demands upon or against them by reason of any such execution or failure and of any such act or omission.

For the protection of the London and North-Western Railway Company.

15. The following provisions for the protection of the London and North-Western Railway Company (herein-after referred to as "the North-Western Company") shall apply and have effect:—

(1) The junction of the Luton to Dunstable widening by this Act authorised with the railway of the North-Western Company shall be constructed only at such a point and according to such plans as shall be reasonably approved by Francis Stevenson or other the principal engineer for the time being of the North-Western Company in this section referred to as "the principal engineer."

(2) The Company shall not without in every case obtaining the previous consent of the North-Western Company in writing under their common seal take use enter upon or interfere with any of the land railway works or property from time to time belonging to or in the possession or under the power of the North-Western Company except only such part or parts of their said lands as it shall be necessary for the Company to take use enter upon or interfere with for the purpose of effecting the junction of the said Luton to Dunstable widening with the railway of the North-Western Company and the Company shall not purchase or take any land or property of the North-Western Company but may purchase and take and the North-Western Company may and shall sell and grant accordingly an easement or right of using the same for the purposes aforesaid.

(3) The Company shall not in any manner in the execution of any of their works obstruct or interfere with the free uninterrupted and safe use of the railway of the North-Western Company or any traffic thereon.

(4) The Company shall bear and on demand pay to the North-Western Company the expense of the employment by the North-Western Company during the execution of the works affecting that company's railway of a sufficient number of inspectors and watchmen to be appointed by the North-Western Company for watching their railway and the works connected therewith with reference to and during the execution of the intended works and for preventing as far as may be all interference

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obstruction danger and accident from any of the operations or from the acts or defaults of the Company or their contractors with reference thereto or otherwise.

(5) If by reason of the execution of any of the works or any proceedings of the Company or the failure of any of those works or any act or omission of the Company or of the contractors or otherwise the railway of the North-Western Company or any of the works connected therewith shall be injured or damaged such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their failing so to do then the North-Western Company may make good the same and recover the expense thereof with full costs against the Company in any court of competent jurisdiction and if any interruption or interference shall be occasioned to the traffic of the North-Western Company by reason of any of the matters or causes aforesaid the Company shall pay to the North-Western Company all costs and expenses to which that company may be put as well as full compensation for the loss and inconvenience sustained by them by reason of any such interruption or interference such costs and expenses and compensation to be recoverable with full costs by the North-Western Company from the Company in any court of competent jurisdiction.

(6) Nothing in this Act contained shall prejudice take away diminish or interfere with any of the property rights interests powers and privileges of the North-Western Company otherwise than is herein expressly provided.

(7) Any dispute or difference arising under this section shall be determined by arbitration in manner provided by the Railway Companies Arbitration Act 1859.

Running powers to London and North-Western Railway Company.

16. The London and North-Western Railway Company may run over work and use with their engines carriages waggons officers and servants so much of the widening of the Company's main line herein described as the Abbot's Ripton to Peterborough widening as will extend from Fletton Junction to Peterborough and the widening of the Company's Luton to Dunstable Railway herein described as the Luton to Dunstable widening the said running powers to be on the same terms and conditions as they run over work and use the existing portions of those railways so authorised to be widened.

For protection of the Midland Railway Company.

17. In constructing and maintaining the works authorised by this Act where they will cross under or affect the Worth Valley

Railway of the Midland Railway the Company shall be subject to the following conditions videlicet :—

(1) All works crossing or affecting the said railway shall be executed at the expense of the Company under the superintendence and to the reasonable satisfaction of the principal engineer of the Midland Railway Company and according to plans and specifications to be previously submitted to such engineer and reasonably approved by him in writing Provided that if such engineer shall not have expressed his approval or disapproval of the said plans and specifications within one month after the same shall have been submitted to him he shall be deemed to have approved thereof.

(2) The bridge carrying the railway at Keighley under the said Worth Valley Railway shall be constructed to carry the existing two lines of the Worth Valley Railway and when the Midland Company require to widen that railway the Company shall widen out the bridge to the extent of two additional lines so as to make the bridge of a width of fifty-two feet between the parapets thereof.

(3) The works shall be constructed and maintained so that the traffic upon the said railway shall not be in anywise impeded or interfered with and such maintenance shall be effected under the superintendence and to the reasonable satisfaction of the principal engineer of the Midland Railway Company and in all things at the expense of the Company.

(4) If by reason of the construction or maintenance of the works or any of them or the failure of any of the works or of the maintenance thereof or otherwise the said railway or the works connected therewith shall be injured or the traffic thereon impeded the Company shall compensate the Midland Railway Company for all costs to which that company may be put in repairing the said damage.

(5) The Company shall on demand pay to the Midland Railway Company all reasonable expenses of the employment by that company during the construction of the works so far as they affect the said railway of a sufficient number of inspectors and watchmen to be appointed by the Midland Railway Company for watching the said railway during such construction and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from any acts or defaults of the Company or their contractors or any person in their respective employ.

(6) The Company shall also indemnify the Midland Railway Company for any damage or compensation which may be

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recovered against them by reason of the interruption of the traffic on the said railway or by reason of any accident on the said railway which interruption or accident shall have been occasioned by the acts or defaults of the Company or any of their contractors or their respective servants or workmen.

(7) The Company shall not acquire any estate or interest in the lands and property of the Midland Railway Company other than an easement or right of constructing or maintaining therein the works by this Act authorised.

(8) The amount to be paid for the acquisition of such easement shall in case of dispute be settled in the manner provided by the Lands Clauses Acts with respect to the purchase of lands otherwise than by agreement.

For the protection of the Great Eastern Railway Company.

18. For the protection of the Great Eastern Railway Company (in this section called "the Great Eastern Company") the following provisions shall (unless otherwise agreed) have effect (that is to say):—

(1) The Company shall not enter upon or interfere with the junctions or connexions between the Holme and Ramsey Branch of the Great Eastern Railway and the Great Northern Railway at or near to Holme Station or any of the lands or works of the Great Eastern Company at or near such junctions or connexions or execute any alterations or works whatever affecting the same until the Company shall have delivered to the Great Eastern Company plans and drawings of such intended alterations and works and those plans and drawings shall have been approved in writing by the principal engineer of the Great Eastern Company and in the event of his not approving or disapproving the same within one month after the delivery of the plans and drawings then the same shall be taken as approved Provided that in case of disapproval the Company shall not enter upon the lands of the Great Eastern Company or interfere with the said junctions or connexions until the plans and drawings shall have been approved by an engineer to be appointed (on the application of the Company) by the Board of Trade and all such alterations and works shall be executed by the Company at their sole expense in all things according to such approved plans and drawings and to the reasonable satisfaction of the said engineer of the Great Eastern Company.

(2) Notwithstanding anything in this Act contained the Company shall from time to time be responsible for and make good to the Great Eastern Company all losses costs damages and expenses which may be occasioned to them or any of their

works or property or to the traffic on their railway or to any Company or persons using the same or otherwise during the execution or renewal or by means of the failure of any of the intended works or of any act default or omission of the Company or of any person in their employ or of their contractors or otherwise and the Company shall effectually indemnify and hold harmless the Great Eastern Company from all claims and demands upon or against them by reason of such execution or failure and of any such act default or omission.

(3) In constructing the widening the Company shall not in any way obstruct or interfere with the traffic passing along the railway of the Great Eastern Company.

(4) The Great Eastern Company shall have and may exercise in or over any altered or substituted junctions or connexions to be laid as aforesaid similar rights and powers in all respects to those now enjoyed by them over or in the existing junctions or connexions.

(5) Except for the purposes of the alteration of the said junctions or of the new works connected therewith the Company shall not take or acquire any rights over any land of the Great Eastern Company except with the consent in writing of that Company under their common seal and save as aforesaid nothing in this Act contained shall extend to authorise or enable the Company to take or enter upon or use either temporarily or permanently any of the lands of the Great Eastern Company or to alter vary or interfere with the railways or either of them of that company or with any of the works thereof further or otherwise than is necessary for the alteration of the junctions or connexions and the construction of such new works in connexion therewith without the consent in writing in every instance for that purpose first had and obtained of the Great Eastern Company under their common seal and with respect to any lands of the Great Eastern Company which the Company are by this Act from time to time authorised to use enter upon or interfere with the Company shall not purchase and take the same but the Company may purchase and take and the Great Eastern Company shall sell or grant accordingly an easement or right of using the same in perpetuity for the purposes for which but for this enactment the Company might purchase and take the same and the Company shall pay to the Great Eastern Company by way of purchase and compensation for the rights and easement to be acquired under the provisions of this Act such an amount as may be agreed upon or in the event of difference as may be determined by arbitration under

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the provisions of the Lands Clauses Consolidation Act 1845 relating to the purchase of lands otherwise than by agreement.

(6) If any dispute shall arise between the Great Eastern Company and the Company respecting the matters and provisions aforesaid or any of them such dispute shall (save as herein-before in this section provided) be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President of the Institution of Civil Engineers.

For protection of Bradford Corporation.

19. For the protection of the mayor aldermen and burgesses of the borough of Bradford (in this section called "the corporation") the following enactment shall take effect:—

Sections 18 to 23 inclusive of the Railways Clauses Consolidation Act 1845 shall apply to all sewers watercourses water pipes and gas pipes of the corporation within the said borough and to all mains pipes and works connected with the supply of water of the corporation outside the said borough but within their Parliamentary limits of water supply Whenever in the above-named sections the word "company" or "society" is used the same shall for all the purposes of this Act be held to extend to and include the corporation and any other body or person acting as their delegates under the Water Acts of the corporation and the word "railway" shall apply to and include any works which may be executed by the Company under the authority of this Act in the said borough or within the said limits of water supply Whenever any of such sewers mains or pipes shall be severed or interfered with by any such works of the Company and whenever by reason of such works it is necessary for maintaining the supply of gas or water to lay additional mains or pipes such additional mains or pipes shall previously to any interference therewith be laid by the corporation at the expense of the Company.

For protection of the drainage and navigation of the Middle Level.

20.—(1) Inasmuch as the main line of the Company intended to be widened under the provisions of this Act from Abbot's Ripton to Peterborough passes over certain parts of the Middle Level of the fens and certain works of the Middle Level Commissioners Therefore in widening the main line or any of the bridges or works connected therewith it shall not be lawful (without the consent in writing of the Middle Level Commissioners as to any works maintained by or belonging to them or as to any works maintained by or belonging to any other drainage commissioners or public bodies in the Middle Level without the consent in writing of such

commissioners or public bodies respectively subject to the provisions herein-after contained) to contract or diminish the breadth depth or capacity of the waterway of or interfere with any drain river watercourse or work of drainage or navigation or to do any act whereby the free passage of water or ice through and along any such river drain or watercourse shall during floods or at any other time be in any manner impeded and it shall not be lawful for the Company without the consent in writing as aforesaid to lower or vary the line or dimensions or to injure or weaken the security of any bank maintained by the Middle Level Commissioners or other commissioners or public bodies as aforesaid for protecting any lands from inundation and every bridge to be erected for carrying the railway over any navigable river drain or watercourse whether the navigation thereof be public or private shall unless with such consent in writing as aforesaid be so constructed as not to obstruct or impede the navigation or the use and enjoyment of the towing paths thereof.

Mode of executing works across banks.

(2) In the formation of such part or parts of the railway as is or are intended to pass over across or along any bank of any river drain or watercourse within the Middle Level it shall not be lawful (without the respective consents in writing of the owners or commissioners or other public bodies liable to maintain the said bank) for the Company or their officers or contractors at any time or times to cut or interfere with or place or drive down any piles or to erect any pier or building into or upon or within the water side of any such bank or to cut or to carry away earth or soil or open any hole or trench within twenty yards from the land side of any such bank except only so far as may be necessary to construct the bridges or other works by this Act authorised.

Works of Company not to unite drainage of districts.

(3) It shall not be lawful for the Company to execute any works within the Middle Level in such manner as will unite the drainage of any district or fen in the Middle Level with the drainage of any other district or fen or as will extend any public or private drainage in the Middle Level to any land not previously drained thereby.

Land taken by the Company to be subject to drainage taxes.

(4) Any lands within the Middle Level which may be required to be taken or used by the Company and which at the time of the passing of this Act shall under or by virtue of any Act of Parliament be subject to any drainage taxes shall remain and be subject to all such drainage taxes as now are or hereafter shall be imposed on the said lands under or by virtue of such Act.

Preserving right to alter or divert works of drainage.

(5) Nothing herein contained shall tend to lessen or control any powers rights or authorities now vested in or enjoyed by the Middle Level Commissioners or by any other commissioners of drainage body or person for altering or diverting any existing bridge river

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drain or watercourse used for the drainage of any lands within the Middle Level or to prevent the making of any new river drain or watercourse for improving the drainage thereof or of altering or enlarging any existing bridge or of altering enlarging or deepening any existing river drain or watercourse or of altering or strengthening any bank of the said commissioners body or person but all such rights powers and authorities shall remain in as full force as if this Act had not been passed and the said commissioners of drainage or other body or person shall not be liable to make any compensation for any damage or injury occasioned by altering enlarging or diverting any existing bridge or by altering enlarging deepening or diverting any existing river drain or watercourse or of altering or strengthening any bank of the said commissioners body or person or making any new bridge drain or watercourse or bank to any greater extent or amount than they would have been liable to if the railway had not been made or this Act had not been passed Provided that in so varying altering enlarging or diverting any existing bridge cut drain or watercourse or making any such new bridge cut drain or watercourse nothing shall be done to impede or interfere with the use of the railway or the traffic thereupon for any greater length of time or in any other manner than shall be necessary for the execution of the works.

As to crossing Monks Lode Yaxley Lode and Pigswater.

(6) In crossing the drains known as Monks Lode Yaxley Lode and Pigswater the railway shall be carried over the said drains by good and substantial bridges each of such bridges having one span or opening of a height and width not less than the height and width of the existing bridges over the said drains respectively.

Company to uphold works executed by them.

(7) The Company shall at all times hereafter substantially maintain and support all bridges and other works made or constructed by the Company and which in any way protect or affect the drainage or navigation or other works intended for the security of the Middle Level or any district therein.

Company to make good unforeseen injury to drainage and navigation.

(8) If at any time after the widening of the railway shall have been completed any injury shall arise to any river cut drain or watercourse within the Middle Level or to the navigation thereof or to any bank or towing path or any land building crops produce or goods within the Middle Level from the formation of any bridge embankment ditch culvert or other work by the Company or by or in consequence of any works of the Company which may not have been foreseen or provided for by this Act the Company shall at their own costs make good and repair and take all proper steps to prevent the recurrence of any such injury immediately after the discovery thereof.

(9) The mode of constructing the several works herein directed to be executed for protecting or affecting the interests of the Middle Level Commissioners and of any other commissioners of drainage or bodies or persons within the Middle Level with all necessary and contingent works whether temporary or permanent and as well those which are as those which are not specifically mentioned but which are necessarily consequent on or fairly implied by the several stipulations and conditions herein provided for shall be executed in a proper and efficient manner to the reasonable satisfaction of an engineer to be appointed by the Middle Level Commissioners and the cost of or incident to such superintendence shall be borne by the Company.

Works in Middle Level to be executed under the superintendence of the engineer of the Middle Level Commissioners.

(10) If the Company shall by any act or default offend against any provision of this Act touching or concerning the drainage or protection of lands within the Middle Level or the navigation of any navigable river drain or watercourse as aforesaid and shall for the space of ten days after due notice thereof from the Middle Level Commissioners or other commissioners or body aggrieved fail to repair any injury which shall be occasioned thereby or to prevent further or continuing injury or on the reasonable apprehension of injury to adopt due precautionary remedies against the occurrence of actual injury the Company shall for every such offence forfeit to the commissioners or other body injured the sum of one hundred pounds for every day during which such offence shall continue which said sum may be recovered with full costs of suit in the High Court of Justice Provided that nothing in this Act contained shall prevent any bodies or persons recovering from the Company special damages for any injury that may be done or occasioned to the drainage of any of the lands within the Middle Level or the works for protecting or preserving the same or to the navigation of the said rivers drains or watercourses by or through the act or neglect or default of the Company or by reason of the effect or operation of any works to be executed by the Company under the authority of this Act.

Penalty in default of Company as to works for protection of Middle Level.

Special damages.

(11) Nothing herein contained shall in any manner diminish alter affect or take away any of the rights privileges powers and authorities now exercised or capable of being exercised by or vested in the Middle Level Commissioners or in any other commissioners of drainage or body acting in execution of any Act of Parliament affecting any fen lands or low grounds within the Middle Level or any part thereof save and except so far as the same rights privileges or authorities are expressly altered or interfered with by this Act.

Reserving the rights of the Middle Level and other commissioners.

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For the protection of the Corporation of Luton.

21. For the protection of the mayor aldermen and burgesses of the borough of Luton (in this section called "the corporation") the following provisions shall have effect (that is to say):—

(1) The Company will if and when they widen the bridge carrying their railway across Guildford Street reconstruct the same as a flat iron girder bridge with a clear span throughout of not less than thirty-six feet measured on the square.

(2) The bridges carrying the railway of the Company across the new Bedford Road and the Dunstable Road respectively shall be respectively increased in length between the abutments thereof so as to be lineable with the properties adjoining those respective bridges on either side thereof.

(3) Not less than twenty-one days before the Company commence to alter the said respective bridges or to divert the public footpath numbered on the deposited plans 40 in the parish of Luton they shall deposit at the Town Hall plans and sections of the said respective alterations and diversion for the reasonable approval of the engineer of the corporation and the Company shall not commence the respective alterations or the said diversion until the said engineer shall have signified in writing his approval or disapproval thereof provided that if he fail to signify the same within twenty-one days after such deposit he shall be deemed to have approved of the alteration or diversion in respect of which he shall have so failed.

(4) All works to be done under the provisions of this section shall be executed by the Company at their own cost in all things and to the reasonable satisfaction of the engineer of the corporation and in accordance with the plans and sections so approved as aforesaid.

(5) If any difference arise between the corporation and the Company touching this section or anything to be done or not to be done thereunder such difference shall be determined by an engineer to be agreed on between the parties or in default of agreement by an engineer to be appointed on the application of either of them by the President of the Institution of Civil Engineers and the costs of and attending the arbitration shall be in his discretion.

For the protection of the Corporation of Leeds.

22. For the protection of the mayor aldermen and burgesses of the borough of Leeds (herein-after called "the corporation") the following provisions shall have effect unless otherwise agreed in

writing between the corporation and the Company under their respective common seals (that is to say) :— A.D. 1891.

(1) In making the railway at Stanningley (Railway No. 9) the Company shall not purchase or acquire for the purposes of that railway any lands or premises situate within the parish of Leeds.

(2) The Company in the formation of the bridges to carry the following streets over the railways shall construct them in connexion with the existing bridges or in addition reconstruct the existing bridges so as that combined they shall be of the following minimum widths between the parapets enclosing the said streets respectively (that is to say) :—

Name of Township.	Name of Street or Road.	Width between Parapets.
Bramley - -	Haley Lane - - -	36 feet.
Armley - - -	Whingate or Whingate Road -	48 feet.
	Wortley Road - - -	42 feet.
	Carr Crofts Road - - -	36 feet.

In every case the "width between parapets" above referred to shall not be limited to the proposed widening or enlargement of the railway but shall be carried out to the full extent of and co-extensive with the lands belonging to the Company or which may be hereafter acquired by them in such streets respectively under the provisions of this Act.

(3) The bridges for the widenings under the said streets shall have their parapets built so as not to encroach upon a line of street to be approved by the corporation in each case and the walls of the parapets shall be at least eight feet in height above the level of the roadway in the said streets.

(4) The roadway and footways on the bridges or arches and the approaches on each side thereof shall be sewered and drained and levelled flagged paved and made good with such materials as the corporation shall decide not being of a more expensive description than that broken up or interfered with and the Company shall for ever thereafter maintain the whole of the streets over the said bridges and the respective approaches thereto as aforesaid.

(5) All spaces on or over the said bridges crossing the streets mentioned in this section shall be dedicated to public use.

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Further works by the Company.

23. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described and may exercise the powers herein-after mentioned and may for the purposes aforesaid make such alterations in the levels of the streets roads and footpaths affected thereby as are shown upon the deposited plans and sections and in addition to any other lands which they are by this Act authorised to acquire may enter upon and take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes making compensation in accordance with the Lands Clauses Consolidation Act 1845 to all persons injuriously affected by the exercise of the powers contained in this section:

Openings under Charterhouse Street.—They may in that part of the parish of Saint Sepulchre which is in the city of London and in the liberty of Saffron Hill in the county of London construct openings under the portion of Charterhouse Street which lies between the London Chatham and Dover Railway and Farringdon Road.

Diversion of Footpath and Abolition of Level Crossing near Oakleigh Park.—They may in the parish of East Barnet in Hertfordshire construct a diversion of the public footpath leading from East Barnet to Whetstone such diversion to commence at the point where the existing footpath is crossed by the south-western fence of the main line of the Company and terminating in the said footpath at the point where it is crossed by the north-eastern fence of the said main line and when the said diversion is completed and opened to the public the Company may stop up and discontinue as a public highway and extinguish all rights of way in and over the level crossing of the said main line by the said footpath and over so much of the said footpath as lies between the said points of diversion.

Footbridges and Abolition of Footpath Level Crossing at Stevenage.—They may in the parish of Stevenage in Hertfordshire—

(1) Construct a bridge for foot passengers over the main line of the Company at the public road known as Brick Lane leading from Stevenage to Symond's Green and crossing the said line on the level commencing on the west side of the line in the northern boundary of the road at a point immediately opposite the gatekeeper's house and terminating on the east side of the line in the said northern boundary at a point about twenty-one yards east of its commencement;

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(2) Construct a bridge for foot passengers over the said main line at the public road known as Water Lane leading from Stevenage to Broomin Green and crossing the said line on the level commencing on the east side of the line at a point in the southern boundary of the road immediately opposite the gatekeeper's house and terminating on the west side of the line in the said southern boundary at a point about twenty-one yards west of its commencement:

And when the said footbridges respectively are constructed and opened to the public the Company may abolish the said level crossings respectively as crossings for foot passengers and extinguish all rights of footway thereover:

(3) Divert the course and vary the levels of the public footpath leading from Stevenage to Broomin Green and crossing the said line on the level about midway between the above mentioned crossings of Brick Lane and Water Lane such diversion to commence at the point where the western fence of the Company crosses the said footpath and to terminate at the point where the eastern fence of the Company crosses the said footpath and when the said diversion is constructed and opened to the public the Company may extinguish all rights of way in and over the said level crossing and over so much of the said footpath as lies between the said points of diversion.

Footbridge at Arlesey.—They may construct in the parish of Arlesey in Bedfordshire a bridge for foot passengers over the main line of the Company at the public road crossing the said line on the level at the north end of the platforms at Arlesey Station commencing in the said road at a point about three yards north of the north-west corner of the station buildings on the up platform at the said station and terminating in the said road on the west side of the line at a point on the southern boundary of the road about three yards from the north-west corner of the down platform and when the said footbridge is constructed and opened to the public the Company may abolish the said level crossing as a crossing for foot passengers and extinguish all rights of footway thereover.

Diversion of Road.—New Road and Abolition of Level Crossing at Newark.—They may in the parish of Newark-upon-Trent in Nottinghamshire--

(1) Construct a diversion thirty feet wide of the road known as North Gate and Lincoln Road leading from Newark to

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Lincoln such diversion commencing in North Gate about one hundred and fifty yards measured in a south-westerly direction along that road from the west side of Lincoln Street and terminating in the Lincoln Road about one hundred and twenty yards measured in a north-easterly direction along that road from the south-east corner of the Great Northern Tavern:

(2) Construct a new road on the north-west side of North Gate commencing therein about one hundred and fifty yards measured in a south-westerly direction along that road from the west side of Lincoln Street and terminating in the road leading from North Gate to Maltkiln Terrace at a point about forty-five yards measured in a north-westerly direction along that road from the north-west side of North Gate:

And when the said road diversion (1) and new road (2) are completed and opened to the public the Company may abolish in the said parish of Newark the level crossing of their railway by the said road known as North Gate and Lincoln Road:

(3) Construct a new road on the north-west side of the Lincoln Road commencing in the said intended diversion of that road about twenty yards measured in a north-easterly direction from the Great Northern Tavern and terminating in the road leading from the said Lincoln Road at the western end of the said tavern to Winthorpe about one hundred and two yards measured in a northerly direction along that road from the said tavern and when the said new road is completed and opened to the public the Company may stop up and extinguish all rights of way over so much of the said road leading from the said Great Northern Tavern to Winthorpe as lies between the Lincoln Road and the termination of the said lastly described intended new road.

Abolition of Level Crossing at Bawtry.—They may in the parish of Blythe in the said west riding abolish the level crossing of their main line by the public road leading from Bawtry to Austerfield.

Diversion of Road at Ardsley.—They may construct in the parishes of Rothwell and East Ardsley in the said west riding a diversion of the public road leading from Thorpe-on-the-Hill to East Ardsley the said diversion commencing in the township of Thorpe-on-the-Hill in the said parish of Rothwell in the said road at a point about one hundred and forty-three yards measured

along that road in a north-easterly direction from Dolphin Beck and terminating in the said road in the township and parish of East Ardsley at a point about one hundred and twenty-two yards measured in a southerly direction along that road from the centre of the West Yorkshire line of the Company where it crosses the said road and when the said diversion is completed and opened to the public the Company may extinguish all rights of way over so much of the said road as lies between the said points of diversion.

Power to deviate in construction of roads.

24. The Company in constructing the alteration of roads and footpaths herein-before authorised may deviate from the centre lines shown on the deposited plans to the extent of the limits of deviation marked on such plans respectively but so nevertheless that no part of such deviation be constructed beyond the said limits and may deviate from the levels shown on the deposited sections to any extent not exceeding five feet but not so as to increase the gradient of any road or footpath.

Substituted roads to be repaired &c. as existing roads.

25.—(1) Subject to the provisions of section 46 of the Railways Clauses Consolidation Act 1845 every altered and substituted road or footpath constructed by the Company under the powers of this Act shall vest in and be repaired and maintained in the same manner and to the same extent as and by and at the expense of the same bodies or persons as are now liable to repair and maintain the roads or footpaths for which they are substituted Provided that the structure of every bridge shall be repaired and maintained by the Company Provided further that nothing herein or in the Railways Clauses Consolidation Act 1845 shall be construed as imposing upon the Company the liability to maintain the surface of any road or street which shall be carried over the railways of the Company by a bridge or bridges or the immediate approaches thereto unless the levels of such road or street shall be permanently raised.

(2) The Company and any such body or person may (subject to the provisions of this Act) enter into and fulfil agreements for or in relation to such construction and for or in relation to the repair and maintenance of all or any of such altered substituted or existing roads or footpaths.

(3) Any such agreements shall be deemed to be purposes of the Public Acts under which such body or persons have jurisdiction and any expenses incurred in relation to such agreements shall be deemed to be expenses incurred for the purposes of those Acts.

(4) The certificate of two justices of the due completion of any such altered or substituted road or footpath shall be conclusive evidence of the fact so certified and such certificate shall be obtained

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before the existing road or footpath is interfered with except in so far as may be necessary for the construction and completion of such new altered or substituted road or footpath.

Power to Company to purchase additional lands.

26. 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 enter upon and take compulsorily or by agreement for the improvement and enlargement of their railways stations and works and for the construction of new stations buildings and sidings and other the purposes of their undertaking the lands herein-after described which are delineated upon the deposited plans and described in the deposited books of reference and they may retain and hold such of the said lands as have already been purchased by them :

In the county of London :—

Holloway.—Certain lands in the parish of Saint Mary Islington being the premises numbered 311 and 313 in Holloway Road.

In the county of Middlesex :—

Wood Green.—Certain lands partly in the parish of Saint Mary Hornsey and partly in the parish of Tottenham adjoining the main line of the Company on the eastern side thereof and bounded on the north by Myddleton Road on the east by Western Road and on the south by the stream or brook known as the Moselle.

In the county of Hertford :—

Cole Green.—Certain lands in the parish of Hertingfordbury adjoining the Hertford Branch of the Company at Cole Green Station on the southern side thereof bounded on the west by the public road at the western end of the said station leading from Cole Green to Letty Green.

In the county of Nottingham :—

Daybrook.—Certain lands in the township and parish of Arnold adjoining the Derbyshire and Staffordshire Railway of the Company on the southern side thereof and extending from the public road at the east end of Daybrook Station leading from Mansfield to Nottingham to the boundary between the parishes of Arnold and Basford.

In the west riding of the county of York :—

Lofthouse North Junction.—Certain lands in the township of Stanley-cum-Wrenthorpe in the parish of Wakefield adjoining the West Yorkshire Railway of the Company on the western side thereof bounded on the east and south-east by the property of the Company.

Armley.—Certain lands in the township of Armley in the parish of Leeds adjoining the Leeds Bradford and Halifax line of the Company on the northern side thereof bounded on the east by the public road known as Whingate;

Certain other lands in the said township of Armley adjoining the said line on the northern side thereof and bounded on the west by Whingate and on the east by the property of the Company;

Certain other lands in the said township of Armley adjoining the Armley Station of the Company on the northern side thereof bounded on the west by the Wortley Road and extending eastwards to the western end of the Baptist Chapel in Carr Crofts Road;

Certain other lands in the said township of Armley adjoining the Leeds Bradford and Halifax line of the Company on the northern side thereof.

Bramley.—Certain lands in the township of Bramley in the said parish of Leeds adjoining the said Leeds Bradford and Halifax line on the northern side thereof;

Certain other lands in the said township of Bramley lying on the northern side of the said Leeds Bradford and Halifax line near the northern end of the bridge carrying Haley Lane over the said line and bounded on the south and west by the said Haley Lane.

Toftshaw Moor.—Certain lands partly in the township of Tong in the parish of Birstal and partly in the township of North Bierley in the parish of Bradford situate between and adjoining the Gildersome Branch Railway of the Company and the road leading from Bradford to Drighlington;

Certain other lands in the said parish of Birstal partly in the said township of Tong and partly in the township of Hunsworth situate between the said railway and the road from Bradford to Dewsbury;

Certain other lands partly in the said township of Hunsworth in the said parish of Birstal and partly in the said township of North Bierley situate on the southern side of the said branch railway one acre two roods and twenty-nine perches of that part of these lands which is situate in the said township of Hunsworth is reputed to be commonable and is an enclosed portion of Toftshaw Moor.

Lowmoor.—Certain other lands in the said Township of North Bierley adjoining the Lowmoor Station and sidings of the

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Lancashire and Yorkshire Railway Company and on the east side thereof and lying on the north-east side of the public road leading from Clockheaton to Bradford.

In the county of Lincoln:—

Grantham.—Certain lands in the parish of Spittlegate in the parts of Kesteven adjoining the western side of the Grantham Station of the Company bounded on the north-west by the Harlaxton Road.

Grimsby.—Certain lands situate in the parish of Great Grimsby in the parts of Lindsey bounded by the East Lincolnshire Railway of the Company on the south and east and by the railway of the Manchester Sheffield and Lincolnshire Railway Company on the north-west and lying within the triangle formed by the junctions of the said railways.

Provisions as to new road to be constructed by the Corporation of Grimsby.

27. With respect to the new road proposed to be constructed by the Corporation of Grimsby from the junction of George Street and Osborne Street to Ainslie Street in the said borough and of an approach to that road from the public footpath known as Peppercorn Crossing the following provisions shall have effect:—

(1) The Company on the one hand and the Corporation of Grimsby on the other hand may enter into and fulfil agreements for payment by the Company of a sum of money or contribution towards the cost and expenses of the construction of the said new road and approach.

(2) So soon as the said new road and approach are completed and opened to the public the Company may—

(*a*) Stop up and discontinue so much of the said footpath as lies between the southern boundary fence of the railway of the Company and the northern boundary fence of the Manchester Sheffield and Lincolnshire Railway which said portion of the footpath to be stopped up crosses the said railways on the level;

(*b*) Stop up and discontinue as a road so much of a road in the said borough leading from Town Hall Square over the railway of the Company and the Manchester Sheffield and Lincolnshire Railway as lies between the southern boundary fence of the railway of the Company and the northern boundary fence of the Manchester Sheffield and Lincolnshire Railway aforesaid which said road crosses the said railways on the level.

Stopping footpath by Great Northern

28. The Great Northern and Great Eastern Joint Committee may abolish in the parish of Ruskington in the parts of Kesteven in Lincolnshire the level crossing of their Spalding and Lincoln

Railway by the footpath leading from Ruskington to Anwick at a point about one hundred and thirty yards north of Ruskington Station so soon as they have constructed and opened to the public a footbridge in lieu of the said level crossing.

and Great Eastern Joint Committee.

As to vesting of site and soil of portions of roads &c. stopped up.

29. The site and soil of the several roads streets and footpaths or portions thereof by this Act authorised to be stopped up and discontinued and the fee simple and inheritance thereof shall (except where by this Act otherwise provided and subject to the acquisition of any existing private rights of way thereover by the Company or by the Great Northern and Great Eastern Joint Committee or by the Manchester Sheffield and Lincolnshire Railway Company as the case may require) if the Company or the Great Northern and Great Eastern Joint Committee or the Manchester Sheffield and Lincolnshire Railway Company as the case may require are or if and when under the powers of this Act or of any other Act already passed relating to the Company or the Great Northern and Great Eastern Joint Committee or the Manchester Sheffield and Lincolnshire Railway Company as the case may require they become the owners of the lands on both sides thereof be from the time of the stopping up thereof respectively absolutely vested in the Company or the Great Northern and Great Eastern Joint Committee or the Manchester Sheffield and Lincolnshire Railway Company as the case may require subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway.

Owners may be required to sell parts only of certain lands and buildings.

30. And whereas in the construction of the railways and works hereby authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the lands houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the lands houses or other buildings or manufactories described or referred to in the schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying for the portions

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required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise If for twenty-one days after the service of notice to sell and convey any portion or portions of the said property any owner or other person shall fail to notify to the Company that he alleges such portion or portions cannot be severed from the remainder of the property without causing the material detriment mentioned then the Company may proceed to take such portion or portions only but if within such twenty-one days he shall by notice to the Company allege that such portion or portions cannot be severed from the remainder without causing such material detriment as aforesaid then the tribunal to whom the question of disputed compensation shall be submitted shall determine the matter of the said allegation in addition to the other questions required to be determined by them Provided always that if in the opinion of such tribunal any such portions cannot be severed from the remainder of such property without material detriment thereto the Company may withdraw their notice to treat for the portion of the property required by them and thereupon they shall pay to the owners of and other persons interested in the property in respect of which they have given notice to treat all costs charges and expenses reasonably and properly incurred by them in consequence of such notice Provided also that if in the opinion of such tribunal any such portions can notwithstanding the allegation of such owner or other person be severed from the remainder without such material detriment then such tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by such owner or person incident to the arbitration or inquiry shall be borne and paid by such owner or person The provisions of this section shall be stated in every notice given thereunder by the Company to sell and convey any premises.

Power to take easements &c. by agreement.

31. 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 of water) required for the purposes of this Act or any of the purposes of their undertaking in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights or privileges as aforesaid.

Period for compulsory purchase of lands.

32. The powers 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.

Extending time for sale of certain superfluous lands.

33. The Company with respect to lands acquired by them alone and the Company and any other company with whom the Company jointly hold any lands under the powers of any Act relating to the undertaking of the Company or of such other company with respect to such last-mentioned lands may notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company or to such other company with which that Act is incorporated retain and hold any lands acquired by them respectively and which have not yet been applied to the purposes for which they were acquired or sold or disposed of for the periods following (that is to say) As regards such of the lands as are situate near to or adjoining any railway or station of the Company or of such other company as the case may be or as they respectively may be of opinion that they may require for the purposes of stations sidings or other conveniences for the period of ten years from the passing of this Act and as regards the other of the said lands for the period of two years from the passing of this Act:

But the Company or such other company as the case may be shall at the expiration of such respective periods of ten years and two years proceed bonâ fide to the sale and disposal of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes aforesaid:

The provisions of this section shall not apply to any lands in the parish of Gainsborough purchased from Henry Bacon Hickman (a predecessor in estate of Sir Hickman Beckett Bacon Baronet) by the Company under the powers of the Great Northern Railway Act 1846 for the purposes of the railway by that Act authorised.

Restriction on taking houses of labouring class in metropolis.

34. The Company shall not under the powers of this Act purchase or acquire in any parish in the metropolis as defined by the Metropolis Management Act 1855 twenty or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

Restrictions on displacing persons of labouring class.

35.—(1) The Company shall not under the powers of this Act purchase or acquire in any city borough or urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December next before the passing of this Act were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(*a*) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such

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number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(*b*) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions if any as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme under this section or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom:

Provided that the court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section such scheme shall for all purposes be deemed to be an undertaking of the Company and the Company may appropriate any lands for

the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands beyond the metropolis by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking:

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions if any as they may see fit.

(8) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company for the purpose of any scheme under this section.

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

(10) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and

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issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(11) Any houses on any of the lands shown on the deposited plans occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Local Government Board under the powers of any previous Act relating to the Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition Provided that if the Local Government Board is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Local Government Board they might have been sufficient to accommodate.

(12) For the purposes of this section and the last preceding section the expression "labouring class" includes mechanics artisans 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.

(13) The provisions of the foregoing sub-sections 6 and 7 of this section shall not apply to any lands in the parish of Gainsborough purchased from Henry Bacon Hickman (a predecessor in estate of Sir Hickman Beckett Bacon Baronet) by the Company under the powers of the Great Northern Railway Act 1846 for the purposes of the railway by that Act authorised.

Vesting in Company of the Washingborough Branch Railway.

36. From and after the passing of this Act the Washingborough Branch Railway and all sidings works and conveniences connected therewith and all lands houses and buildings and rights or interests in lands and powers relating thereto upon or connected with the said railway shall be vested in the Company solely freed and discharged from all claims rights or interests of the Great Eastern Railway Company or of the Great Northern and Great Eastern Joint

Committee therein or thereto and the said railway shall thereupon be part of the undertaking of the Company.

Company may apply their funds towards purposes of Act and may raise additional capital.

37. The Company may apply to the purposes of this Act to which capital is properly applicable any of the moneys which they are already or which by virtue of any Act to be passed during the present session of Parliament they may be authorised to raise and which may not be required by them for the purposes for which the same were authorised to be raised and the Company may for the purposes of this Act and for the general purposes of their undertaking from time to time subject to the provisions of Part II. of the Companies Clauses Act 1863 raise in addition to the sums of money which they are already authorised to raise any additional sum or sums not exceeding in the whole one million pounds by the issue at their option of new ordinary shares or stock or new ordinary and preference shares or stock (such new preference shares or stock not to exceed in the aggregate five hundred thousand pounds) which shares or stocks shall form part of the general capital of the Company and such new ordinary shares or stock may if the Company think fit be created and issued in accordance with the provisions of section 7 of the Great Northern Railway (Capital) Act 1890.

Shares or stock not to vest until fifth part paid up.

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

Votes in respect of new shares.

39. The Company may from time to time if they think fit attach to all or any new shares or any class of new shares created under the powers of this Act any total or partial permanent or temporary restriction of the rights of voting and other qualification of the holders thereof.

Shares of same class to have like privileges.

40. All shares of the same class created by the Company under this Act shall confer like privileges and shall bear like dividends or interest and be subject to like restrictions (if any).

Power to Company to raise capital under any other Act and this Act by new shares of one class.

41. If by any other Act passed in the present session of Parliament whether before or after the passing of this Act the Company be authorised to raise any capital by new shares then subject to the provisions of the other Act and this Act respectively the Company if they think fit may raise by the creation and issue of new shares of one and the same class all or any part of the aggregate capital which they are by the other Act and this Act respectively authorised to raise by the creation and issue of new shares.

Power to borrow on mortgage.

42. The Company may from time to time borrow on mortgage of their undertaking additional sums not exceeding in the whole

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three hundred and thirty-three thousand pounds in respect of the additional capital of one million pounds by this Act authorised to be raised Provided that in respect of every one hundred and eleven thousand pounds of such additional capital issued and accepted and one-half whereof shall have been paid up the Company may borrow a sum or sums not exceeding in the whole thirty-seven thousand pounds But no part of any of the before-mentioned sums of thirty-seven thousand pounds shall be borrowed until shares for so much of the said portion of the additional capital in respect of which the borrowing powers are to be exercised 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 portion of additional capital have been issued and accepted and that one-half of such portion has been paid up and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one-half of so much of such portion 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 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 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.

Existing mortgages to have priority.

43. All mortgages granted by the Company in pursuance of any Act of Parliament and which shall be subsisting at the time of the passing of this Act shall during the continuance of such mortgages and subject to the provisions of the Acts under which such mortgages were respectively granted have priority over 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.

Debenture stock.

44. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the

interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

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

Receipt in case of persons not sui juris.

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

Interest not to be paid on calls paid up.

47. 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.

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

48. 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.

49. Nothing in this Act contained shall exempt the Company or the railways from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels.

Costs of Act.

50. 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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SCHEDULE referred to in the foregoing Act.

DESCRIBING LANDS BUILDINGS MANUFACTORIES AND COLLIERIES OF WHICH PORTIONS ONLY MAY BE REQUIRED BY THE COMPANY.

Parish.	Number on deposited Plans.
Keighley - - - - -	2.
Calverley - - - -	22, 131, 132, 134, 135.
Fletton - - - - - -	15, 17, 47, 48.
Luton - - - -	25, 26, 36, 38.
Caddington - - - - -	22, 30, 31.
Houghton Regis - - -	74, 96.
Dunstable - - - - -	1.
Newark-upon-Trent - -	21.
East Ardsley - - - - -	10.
Arnold - - - -	2, 3.

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