ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

****

Cap. xlv.

An Act to enable the *Great Northern* Railway Company to construct Stations at *Knottingley* and *Wakefield*; to increase their Capital; to enlarge their *London* Station; to amend their Acts; and for other Purposes. [3d *July* 1851.]

WHEREAS by "The *Great Northern* Railway Act, 1846," the *Great Northern* Railway Company was incorporated, and was authorized to make the *Great Northern* Railway, and several Acts have since passed, and among them "The *Great Northern* Railway (Deviations between *Grantham* and *York*) Act, 1847," authorizing the Company to deviate in the Construction of their Railway from the Line originally authorized: And whereas a large Part of the Railway has been for some Time open for Traffic, and other Part is in course of Construction; and it is expedient that a slight Deviation should be made from the Line now authorized in the Parish of *Weston* in *Nottinghamshire*, that certain Roads and Ways crossed by the Railway should be either stopped up or diverted, that certain other Alterations of the heretofore authorized Works should be made, that the

9 & 10 Vict. c. 71.

10 & 11 Vict. c. 146.

the *London* Station at *King's Cross* should be enlarged and the Approaches to it improved, and that Station Room should be provided at *Knottingley* and at *Wakefield* in the West Riding of *Yorkshire* for the Accommodation of the Traffic brought to and from the *Great Northern* Railway: And whereas the present authorized Capital of the Company, exclusive of the Capital set apart by Parliament for the Construction of the *Axholme* Extension which is not yet commenced, amounts in Shares to Six millions one hundred and eighty-three thousand Pounds, and by Loans to Two millions sixty-one thousand four hundred and sixty-six Pounds more, and it is necessary that the Company should have Power to increase their Capital for the Completion of their Undertaking, and it is also expedient that the Company should have Power to attach to the Capital of Eighty thousand Pounds, which they are authorized to raise by "The *Leeds Central* Railway Station Act, 1848," the Advantages which by the Twenty-sixth Section of "The *Great Northern* Railway Acts Amendment Act, 1849," they are empowered to give, under certain Restrictions, to any particular Shares of the Company: But inasmuch as these things cannot be done without the Authority of Parliament, may it 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:

11 & 12 Vict. c. 71.

12 & 13 Vict. c. 84.

Powers of Great Northern Railway Act, 1846, extended to this Act.

I. All the Powers and Provisions contained in the first-recited Act and in the Acts incorporated therewith, so far as the same are not repealed and are applicable to this Act, shall apply to this Act and to the Matters hereby authorized as fully as though those Powers and Provisions were repeated and re-enacted in this Act.

Company may raise additional Capital.

II. It shall be lawful for the Company to raise by creating new Shares, in addition to the Sums of Money which they are already authorized to raise, any further Sum of Money, not exceeding in the whole the Sum of Seven hundred and fifty thousand Pounds, to be applied in completing the Undertaking of the Company.

New Shares to be considered same as original Shares.

III. The Capital so to be raised by the Creation of new Shares shall be divided into Shares of such Amount as will conveniently allow the same to be apportioned according to the Resolution of any Ordinary or Extraordinary Meeting of the Company, and shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital of the Company, except as to the Times of making Calls thereon, and

the Amount of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit: Provided always, that Five Pounds *per* Share shall be the greatest Amount of any One Call which shall be made in respect of such new Shares, and that Three Months at the least shall be the Interval between successive Calls: Provided also, that the aggregate Amount of Calls made on any One Share in any One Year shall not exceed Fifteen Pounds.

As to Votes of Proprietors of new Shares.

IV. The Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if they had been possessed of original Shares in the *Great Northern* Railway Company.

Company may guarantee Dividend on Shares.

V. It shall be lawful for the Company, with the Assent of Three Fifths of the Votes at any General Meeting specially convened for that Purpose, to guarantee the Payment of Dividends, not exceeding in any Case Seven *per Centum per Annum*, on the Shares which the Company are hereby authorized to issue, and also on the Shares which they are authorized to issue under "The *Leeds Central* Railway Station Act, 1848," in preference to the Payment of Dividends on the ordinary Shares of the Company, and upon such Terms as shall be by the Resolution of such Meeting defined: Provided always, that the granting of such Preference or Priority shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock which shall have been granted by the Company in pursuance of, or which may have been confirmed by, any previous Act, or which may otherwise be lawfully subsisting.

Saving existing Preference Shares.

Power to borrow on Mortgage.

VI. After the whole of the Sums which the Company are by this or any other Act (except "The *Great Northern* Railway Acts Amendment and *Isle of Axholme* Extension Act, 1848,") authorized to raise by Shares shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any Ordinary or Extraordinary Meeting of the Company, provided that such Sums of Money do not exceed in the whole Two hundred and fifty thousand Pounds, in addition to the Sums which they are already authorized to borrow: Provided always, that all and every Part of the Sums of Money so to be raised or borrowed under the Powers of this Act shall be applicable only to the Objects and Purposes contemplated by this and the other several Acts relating to the Company.

VII. It

Power to construct Works according to deposited Plans.

VII. It shall be lawful for the Company to make and maintain the new Line of Railway, Stations, and Works herein-after particularly described in the Lines and upon the Lands delineated upon the Plans, and described in the Books of Reference to those Plans, which have been deposited with the respective Clerks of the Peace for *Middlesex*, for *Nottinghamshire*, and for the West Riding of *Yorkshire*, and according to the Levels defined on the Sections deposited along with the said Plans and Books of Reference, and to enter upon, take, and use such of the Lands as shall be necessary for such Purposes.

Describing new Line of Railway and Works.

VIII. The said new Line of Railway and Works shall be the following:

(1.) A new or substituted Line of Railway in the Parish of *Weston* in *Nottinghamshire* commencing in a Field numbered in that Parish 32 upon the deposited Plans referred to in "The *Great Northern* Railway (Deviations between *Grantham* and *York*) Act, 1847," and terminating in or near a Field numbered on the same Plans 69 in the same Parish:

(2.) An Enlargement of the Company's Station at *King's Cross* in the Parish of *Saint Pancras* in *Middlesex*, and the Improvement of the Approaches thereto, and the Diversion of the old *Saint Pancras Road* there:

(3.) A Station, with all requisite Approaches, Conveniences, and Works, at or near the *Knottingley* Station of the *Lancashire and Yorkshire* Railway Company in the Parish of *Pontefract* and the Township of *Knottingley*, and in the Parish of *Ferry Frystone* and Township of *Ferrybridge* in the West Riding of *Yorkshire*:

(4.) A Station, with all requisite Approaches, Conveniences, and Works, in the Parish of *Wakefield* in the same West Riding near to the present Station of the *Lancashire and Yorkshire* Railway Company there.

Power to Company to abandon Part of Line.

IX. The Company shall abandon the Formation of so much of the Railway as was intended to be constructed between the said Field numbered 32 and the other Field numbered 69 as aforesaid; and all the Powers, Authorities, and Privileges by the said recited Acts or any of them granted to the Company for the Construction, Maintenance, or Use of the said Portion of Railway so required to be abandoned shall from and after the passing of this Act cease and determine.

Compensation to be made where Contracts

X. Provided always, That in any Case where before the passing of this Act any Contract has been entered into or Notice given by the Company for purchasing any Lands which the Company were

empowered

have been entered into or Notices given.

empowered to purchase for the Purpose of constructing the Portion of Railway to be abandoned as aforesaid, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands, full Compensation for all Injury or Damage sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Contract or pursuant to such Notice; and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof: Provided also, that the Authority hereby given for abandoning the Formation of the aforesaid Portion of the said Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands which the Company were so empowered to purchase as aforesaid to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway pursuant to the Provisions for that Purpose in "The Lands Clauses Consolidation Act, 1845," contained.

Company to provide a new Site for intended Church of Saint Luke King's Cross if present one required for Railway Purposes.

XI. And whereas a Site has been obtained by the Vicar of the Parish of *Saint Pancras* in the County of *Middlesex* and the Minister of the District of *Saint Luke King's Cross* in the said Parish, situate near *Hertford Place* within the said District, for the Purpose of erecting thereon a new Church for such District, which Site may under the Powers of this Act be required for the Purposes of the said Railway, and the said Site is shown and marked A. upon a Plan deposited in the Parish Church of *Saint Pancras*, and signed by Mr. *Robert Baxter* on behalf of the Company and by Mr. *Edwin Ward Scadding* on behalf of the Persons interested in the Erection of the said Church: Be it enacted, That in case such Site shall be so required by the said Company for the Purposes of this Act or of the said recited Acts, the said Company shall within Six Calendar Months from the passing of this Act provide another Site within the said District in lieu of and as near to the present Site as Circumstances will permit, being not less in Value and Dimensions, and to be approved of by the Bishop of the Diocese and the Vicar of the said Parish of *Saint Pancras*; and the said Company shall convey or cause the same to be conveyed in Fee Simple for the Purpose of such Church under the Provisions of the Act of the Sixth and Seventh *Victoria*, Chapter Thirty-seven, upon the like Terms and subject to the same Conditions as are applicable to the said Site already obtained with respect to the Payment of the same or otherwise.

Confirming Agreements as to Weston Deviation.

XII. And whereas the said Deviation in the Parish of *Weston* is made at the Request of Owners of Lands both on that Portion of the said authorized Line in the said Parish which is hereby abandoned, and also on the said new and substituted Line, and the Company have accordingly, with the Consent of the Owners and Occupiers of Lands on the said new Line, commenced the Construction thereof, and Contracts have been entered into and Conveyances executed to the Company of the Lands required for such new Line: All such Contracts, Conveyances, and other Proceedings which have been entered into, made, and taken by the Company with respect to the said new and substituted Line shall have the same Effect as if the same had been the Line authorized by the said *Great Northern* Railway, Deviations between *Grantham* and *York*, Act, 1847, between the said Fields numbered respectively 32 and 69 in the said Parish of *Weston*.

Period for the Completion of the Works.

XIII. The Works hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Power to demand the same Tolls as on Great Northern Railway.

XIV. It shall be lawful for the Company to demand and receive for and in respect of the Railways, Stations, and Works hereby authorized the same Tolls and Charges as they are by "The *Great Northern* Railway and *East Lincolnshire* Railway Acts Amendment Act, 1850," authorized to demand and receive for and in respect of the *Great Northern* Railway.

Maximum Charge.

XV. Provided always, That the maximum Tolls and Charges to be levied and received by the Company in respect to the said Railways, Stations, and Works shall in no Case exceed the maximum Tolls and Charges authorized by the last-mentioned Act.

Power to close Footpaths and extinguish Rights of Way in certain Cases.

XVI. And whereas Doubts have arisen whether by virtue of the Sixteenth Section of "The Railways Clauses Consolidation Act, 1845," the Company can stop up Footpaths and extinguish Rights of Way across their Stations and Works, the Maintenance of which Footpaths and Rights of Way is productive of great Danger to the Public and Inconvenience to the Traffic of the Company: It shall be lawful for the Company to stop up the following Footpaths, and to extinguish all Rights of Way over their Works connected with the same Footpaths; namely,

(1.) Any Right of Way which exists or is claimed over the Land appropriated or to be appropriated by the Company for their Station at *King's Cross*, *London*, by virtue of this and the

the other Acts relating to the Company: Provided always, that the Company shall within One Year after the passing of this Act form a new or substituted Footpath from *Suffolk Street* so as to cross the Railway on the South Side of the Road numbered 281 on the original Plans of the *Great Northern* Railway in the said Parish of *St. Pancras*:

(2.) The Footpath in the Field numbered upon the Plans of the *Great Northern* Railway, deposited in the Year 1844, 27 in the Parish of *Hornsey* in *Middlesex*, the Company making, within Six Months from the passing of this Act, in lieu thereof a convenient Footpath in the Parish of *Hornsey* in the Field numbered 27 on the original deposited Plan on or near the Right Bank of the *New River* up to *Hornsey* Viaduct, then carrying the said Path across the *New River* and through the Second Arch of the said Viaduct until it terminates in the Road leading to the Village of *Hornsey*:

(3.) The Footpath numbered 271, and the Way numbered 266, on the same Plans, in the Parish of *St. Pancras* in *Middlesex*.

Power to stop up certain Roads.

XVII. And whereas it will conduce to the Convenience of the Public, and to the safe and expeditious working of the Railway, if the following Roads are stopped up:

(1.) A public Road or alleged public Road numbered on the same Plans 6 in the Hamlet of *Holme* in the Parish of *Biggleswade* in *Bedfordshire*; and a Road lying between Fields numbered on those Plans respectively 8 and 9 in the same Hamlet and Parish:

(2.) The Road numbered on the same Plans 15 in the Parish of *Carlton-upon-Trent* in *Nottinghamshire*:

Be it enacted, That the same Roads may be stopped up accordingly; and it shall be lawful for the Company, instead of the Road so last mentioned to be stopped, to convert into a public Carriage Road the Bridleway leading from that Road to the Road from *Carlton* to *Ossington*.

Reserving Right of Way to R. Lindsell, Esq.;

XVIII. Provided always, That the stopping of the said Road between the said Fields numbered 8 and 9 in the Hamlet of *Holme* shall not deprive *Robert Lindsell* Esquire, his Heirs and Assigns, and his and their Tenants and Workmen, with Horses, Carts, and other Implements of Agriculture, and with Cattle and other Animals, of their Right of Way over the said Field numbered 8, and over the Occupation Road numbered 2, in the same Hamlet, but that it shall be lawful for him and them to use the same, and to cross the Railway between the said Fields numbered 8 and 9 in the same Place and in the

the same Manner as the said Road and Crossing have been heretofore used and enjoyed by the said *Robert Lindsell*,

and to the Devisees of W. Jackson.

XIX. Provided also, That it shall be lawful for the Devisees of *William Jackson* deceased, their respective Heirs and Assigns, Tenants and Workmen, to cross the Railway in like Manner at the said Road numbered 6, and by a level Crossing, at the same Place and in the same Manner as such last-mentioned Road and Crossing have been heretofore used and enjoyed by the said Devisees,

Power to divert a certain Road at Newark.

XX. It shall be lawful for the Company to divert the Road numbered on the same Plans 76 in the Parish of *Newark-upon-Trent* in *Nottinghamshire* according to the Plans and Sections deposited with respect to this Act, and mentioned in the Seventh Section of this Act,

Power to cross certain Roads on a Level.

XXI. And whereas in the Construction of the Railway it has been found more convenient to the Public that the following Roads, of which the Company are now authorized to alter the Levels so as to carry the same either over or under the Railway, should be crossed by the Railway on a Level; namely,

(1.) The Roads numbered respectively on the same Plans 6, 76, and 86 in the Parish of *Newark* in *Nottinghamshire*, and 26 in the Parish of *Claypole* in the same County:

(2.) And the Roads numbered on the Plans deposited in the Year 1846 with relation to "The *Great Northern* Railway (Deviations between *Grantham* and *York*) Act, 1847," as follows; 36 in the Parish of *East Markham*; 3 in the Parish of *Eaton* in *Nottinghamshire*; and 5 in the Parish of *Weston* in the same County:

Be it enacted, That the same Roads may be crossed on the Level accordingly.

Company to erect Station or Lodge where Roads crossed on the Level.

XXII. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the Points where the before-mentioned Roads shall be crossed on a Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Commissioners of Railways; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at any such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every

Day

Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Commissioners of Railways may require Bridges instead of level Crossings.

XXIII. Provided always, That it shall be lawful for the Commissioners of Railways, if it shall appear to them necessary for the Public Safety, at any Time either before or after the Works hereby authorized to be made, or any of them, shall have been completed and opened for public Traffic, to require the Company, within such Time as the said Commissioners shall direct, and at the Expense of the Company, to carry any or either of the herein-before mentioned Roads either under or over the Railway by means of a Bridge or Arch, instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Commissioners the best adapted for removing or diminishing the Danger arising from any such level Crossing.

Saving Rights of Metropolitan Commissioners of Sewers.

XXIV. Notwithstanding anything herein-before contained, nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, alter, or take away any of the Rights, Powers, or Authorities vested in the Metropolitan Commissioners of Sewers, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

Confirming Agreements with Lancashire and Yorkshire Railway Company.

XXV. And whereas by Agreement with the *Lancashire and Yorkshire* Railway Company the *Great Northern* Railway Company is entitled, subject to the Terms therein mentioned, to use and does now use and run over the Railway of the first-mentioned Company from *Askern* in the West Riding of *Yorkshire* to *Wakefield* in the same Riding, and is also entitled to use on the Terms and in the Manner in the said Agreement mentioned the Stations of the said Company at *Knottingley* and *Wakefield* respectively, and it is expedient that further Accommodation should be afforded to the said *Great Northern* Railway Company for its Traffic at and near to the same Stations respectively, and the *Lancashire and Yorkshire* Railway Company are willing to afford such further Accommodation: And whereas the Two Companies have, by an Agreement under their respective Seals bearing Date the Twenty-fourth Day of *March* One thousand eight hundred and fifty-one, entered into certain Arrangements relating to the said Stations, subject to the Assent and Authority of Parliament being given thereto, and it is expedient that such Agreement should be ratified and confirmed: Be it therefore enacted, That the said Agreement shall be and the same is hereby declared to be valid and binding upon the said Two Companies respectively as if the same had been made after the passing of this Act and under the Authority thereof; and it shall be lawful for the said Two Companies to execute any Conveyances and do all necessary Acts for carrying the same

into effect, and also from Time to Time hereafter to enter into any other Agreement or Agreements for the better and more convenient Enjoyment of the said Stations respectively, and for the Accommodation and Management of the Traffic of the said Two Companies, or either of them, at such Stations respectively, and to make and execute any Instrument or Conveyance, and to do all Acts necessary or required for the Purpose of carrying such Agreement into effect.

Saving Rights of the Lancashire and Yorkshire Railway Company.

XXVI. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities now vested in the *Lancashire and Yorkshire* Railway Company, or to authorize the *Great Northern* Railway Company (except as in and by the said Agreement is mentioned and provided) to enter upon, take, purchase, or use any of the Land or Property of the *Lancashire and Yorkshire* Railway Company, or in any Manner to alter, vary, or interfere with any Railway of the same Company, or any of the Stations or Works appertaining thereto, without the Consent in Writing of the said *Lancashire and Yorkshire* Railway Company.

For facilitating the Conveyance by the Corporation of Lincoln of certain Common Lands called "The Holmes."

XXVII. Whereas the *Great Northern* Railway passes through a certain Common or Piece of Waste Land in the City of *Lincoln* known by the Name of "The *Holmes*," vested from Time immemorial in the Mayor, Aldermen, and Citizens of the said City, subject to the Right of Pasturage thereon throughout the Year of the Freemen of the said City residing within the same: And whereas the *Great Northern* Railway Company have taken possession under the Powers and Provisions of "The Lands Clauses Consolidation Act, 1845," of the Part of the said Common Land required by them for the Purposes of the said Railway, and in respect thereof have paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, the Sum of Eight thousand four hundred and seventy-one Pounds Seven Shillings and Sixpence: And whereas the said Mayor, Aldermen, and Citizens have contracted with the said Company for the absolute Sale to them of the Land so taken by them, free from the aforesaid Rights of such Freemen who are of the Number of Five hundred and upwards: And whereas it is expedient that the said Mayor, Aldermen, and Citizens should be enabled to convey to the said Company the Land so taken as aforesaid free from the aforesaid Common Rights, and that Provision should be made for the Disposal of the Purchase Money for the same: Be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Citizens of the said City of *Lincoln*, and they are hereby empowered, by Deed under their Common Seal, to convey to the said Company and their Successors such Part of the said Common or Waste Land as has been taken by them as aforesaid, and the Fee Simple and Inheritance thereof, free from all and every

the aforesaid Rights of Common upon and over such Land, and that out of the aforesaid Sum of Eight thousand four hundred and seventy-one Pounds Seven Shillings and Sixpence, and any other Monies to be paid by the said Company for or on account of the Purchase of the said Land, together with any Interest or Accumulations thereon, all Costs, Charges, and Expenses of the said Mayor, Aldermen, and Citizens which shall have been incurred by them in or about or in anywise incidentally to the taking, Sale, and Conveyance of such Land, and the Appropriation and Application of the aforesaid Monies, or any Part thereof, or of the Interest, Dividends, and annual Produce thereof, or of any Part thereof, and which shall not have been discharged by the said Company, shall be paid and satisfied; and in the next place thereout such Sum or Sums of Money shall be appropriated to the said Mayor, Aldermen, and Citizens of the City of *Lincoln* as the High Court of Chancery by any Order to be made in the Matter of this Act, and *ex parte* the Mayor, Aldermen, and Citizens of the City of *Lincoln*, upon the Application of the said Mayor, Aldermen, and Citizens, shall order and direct as and for Compensation for all their Rights and Interests in such Land so to be conveyed, and shall be disposed of accordingly as Monies payable for Lands purchased from Corporations under "The Lands Clauses Consolidation Act, 1845," are by that Act directed to be disposed of, and that the Residue thereof, and of all Interest, Dividends, and Accumulations which have or shall have accrued or become due, shall be paid, invested, applied, appropriated, and disposed of in such Manner for the permanent Benefit of all or any of the Freemen for the Time being of the said City of *Lincoln* residing therein as the said Court shall from Time to Time, by any Order to be made in the Matter of this Act, and *ex parte* the Mayor, Aldermen, and Citizens of the City of *Lincoln*, upon such Application as aforesaid, order and direct; provided nevertheless, that Seven Days Notice of every such Application as aforesaid so to be made by the said Mayor, Aldermen, and Citizens shall be given by affixing the same on the outer Door of the Town Hall of the said City.

Act not to affect Right of Undertakers of Aire and Calder Navigation to make Communications.

XXVIII. Provided always, That nothing herein contained shall prevent the Undertakers of the Navigation of the Rivers *Aire* and *Calder* in the County of *York* from making either upon their own Lands or upon the Lands of any Corporations or other Persons, with the Consent of such Corporations or other Persons, any collateral Branches of Railway, or any Roads or Passages, with such Bridges, Tunnels, or Culverts as may be necessary from any Part of the said Navigation to communicate with the Station hereby authorized to be made in the said Parish of *Wakefield*, or to pass across, over, or under the same or any Part thereof, so as to communicate with the Lines and Stations of the *Lancashire and Yorkshire* Railway Company within the said

Parish

Parish of *Wakefield* or any Part thereof respectively, for the Passage, Conveyance, and Transfer of Carriages, Passengers, Animals, Goods, Minerals, and other Articles from or to the said Navigation and the said Lines and Stations respectively, or any of them; and the Company shall, at the Expense of the said Undertakers, make such Openings in their Rails, and such additional Lines of Rail, as may be necessary to effect such Communications; and in case of Difference between the Company and the said Undertakers as to any of the Matters aforesaid, the same shall be referred to Arbitration in the Manner pointed out by the "Companies Clauses Consolidation Act, 1845," and as if the said Undertakers were a Railway Company within the Provisions of that Act.

Certain Lands of Undertakers not to be taken without Consent.

XXIX. Provided also, That, notwithstanding anything in this Act contained, it shall not be lawful for the Company to take or use for the Purposes of this Act any of the Land numbered 32 in the Plans and Books of Reference herein-before referred to, without the Consent of the Undertakers of the said Navigation, signified by Writing under the Hand of their Clerk, being first obtained for that Purpose.

Certain Provisions of 9 & 10 Vict. c. 170., 10 & 11 Vict. c. 248., and 11 & 12 Vict. c. 119. as to fixing the Number and Amount of Shares, repealed.

XXX. And whereas by "The *Royston and Hitchin* Railway Act, 1846," it is amongst other things enacted, that the Capital of the Company thereby incorporated should be Eight hundred thousand Pounds, and that the Number of Shares into which the said Capital should be divided should be Thirty-two thousand, and the Amount of each Share should be Twenty-five Pounds; and by "The *Royston and Hitchin* Railway Amendment Act, 1847," such Capital of Eight hundred thousand Pounds was reduced to Two hundred and sixty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence, and the Amount of each Share to Eight Pounds Six Shillings and Eightpence: And whereas the Sum of Six Pounds Five Shillings only has yet been called up on the said Shares; and in consequence of the *Royston and Hitchin* Railway having, under the Powers of the last-mentioned Act, become vested in perpetuity in the *Great Northern* Railway Company, subject to certain Provisoes for Re-entry thereon by the *Royston and Hitchin* Railway Company in certain Events, and by virtue of the Arrangements under which the same has so become vested in the *Great Northern* Railway Company, it may probably never become necessary to make any further Call thereon: And whereas it would be advantageous to the *Royston and Hitchin* Railway Company that the Amount of each of the said Thirty-two thousand original Shares should be reduced to Six Pounds Five Shillings, being the Amount of the new Shares in the *Royston and Hitchin* Railway Company issued under the Powers of "The *Royston and Hitchin* Railway Amendment (*Shepreth* Extension) Act, 1848," so as to enable the said *Royston and Hitchin* Railway Company

pany to consolidate into Stock the said Thirty-two thousand Shares, or those of them on which Six Pounds Five Shillings shall have been paid up, but without Prejudice to the Power of the said *Royston and Hitchin* Railway Company to raise (if necessary) the said Sum of Sixty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence by the Issue of new Shares: Be it enacted, That so much and such Parts only of the before-mentioned Acts as limit the Number of the original Shares of the said *Royston and Hitchin* Railway Company to Thirty-two thousand, and fix the Amount of the Shares of the said Company, shall be and the same are hereby repealed.

Power to reduce Amount of Shares of Royston and Hitchin Railway Company.

XXXI. The Amount of each of the said Thirty-two thousand original Shares of the *Royston and Hitchin* Railway Company shall be reduced to and shall be Six Pounds Five Shillings.

Right to raise additional Capital reserved to the said Company.

XXXII. Notwithstanding anything herein contained, the said *Royston and Hitchin* Railway Company may hereafter (if necessary) raise any Amount of the remaining Capital of Sixty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence by the Issue of a competent Number of further Shares: Provided also, that the Amount of such Shares shall be such as the Directors of the Company shall fix and determine with a view to the convenient Distribution thereof among the Proprietors of the Company.

So much of 11 & 12 Vict. c. 119. as to Right of voting repealed.

XXXIII. So much of "The *Royston and Hitchin* Railway Amendment (*Shepreth* Extension) Act, 1848," as enacts that no Proprietor of any new Shares, the total Amount whereof shall be less in Value than Eight Pounds Six Shillings and Eightpence, shall be entitled to vote in respect of the Number of such Shares held by him, but for the Purpose of voting the Amount of Capital in the Company represented by all such new Shares held by him shall be considered as divided into as many Shares of Eight Pounds Six Shillings and Eightpence each as such Amount of Capital will admit of, and the Right of voting of such Proprietor in respect of such new Shares of less nominal Amount than Eight Pounds Six Shillings and Eightpence each shall be determined by the Number of Eight Pounds Six Shillings and Eightpence Shares into which the Amount of Capital represented by such new Shares held by him shall be capable of being divided, shall be and the same is hereby repealed.

Interest not to be paid on Calls paid up.

XXXIV. It shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the said Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares

Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

XXXV. It shall not be lawful for the Company, out of any Money which by this or by any other Acts they are authorized to raise for the Purposes of such Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the said Company to construct any other Railway or execute any other Work or Undertaking.

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

XXXVI. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways;* and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops;* and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways;* and Two Acts were passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, the One intituled *An Act for regulating the Gauge of Railways*, and the other intituled *An Act for constituting Commissioners of Railways:* Be it enacted, That nothing in this Act contained shall be held to exempt the Company or their said Railways from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways so far as the same shall be applicable thereto,

Railways and Company not exempt from Provisions of future General Acts.

XXXVII. Nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made, or the said Company, from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to 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 and

Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act.

XXXVIII. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged out of the Funds of the Company. Expenses of Act.

XXXIX. In citing this Act it shall be sufficient to describe it as "The *Great Northern* Railway Act (No. 1.), 1851." Short Title.

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