CHAPTER cxxix.

An Act for conferring further Powers upon the London and North-western Railway Company in connexion with their own Undertaking and upon that Company and the Lancashire and Yorkshire Railway Company and the Great Western Railway Company in respect of other Undertakings in which they are jointly interested and for other purposes. A.D. 1882.

[12th July 1882.]

WHEREAS it is expedient that the London and North-western Railway Company (in this Act called the Company) should be empowered to make the new railways and the widening alteration and improvement of their existing railway and to make the new and alter and stop up the existing roads streets and footpaths and to execute the other works and exercise the other powers in this Act respectively mentioned and to acquire for the purposes of the works by this Act authorised and for the general purposes of their undertaking the lands in this Act also mentioned and that the powers for the purchase of lands for and for the construction of the Llanelly Station Railway authorised by the London and North-western Railway (New Lines and Additional Powers) Act 1876 should be revived and extended as in this Act provided: (Company's new railways &c.) 39 & 40 Vict. c. clxxx.

And whereas it is expedient that the Company and the Lancashire and Yorkshire Railway Company should be empowered to make the new junction at Bootle herein-after described for the purpose of connecting the Bootle Extension Railway of the Company with the Liverpool and Southport Railway of the Lancashire and Yorkshire Railway Company and should also be empowered to make the Huddersfield second tunnel herein-after described in connexion with the railway and station at Huddersfield in which they are jointly interested: (Company and Lancashire and Yorkshire Company.)

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(Company and Great Western Railway Company.)

And whereas the Company and the Great Western Railway Company are jointly possessed of the Birkenhead Railway and it is expedient that those companies should be empowered in connexion with that railway to make the new railways and execute the other works and exercise the other powers herein-after described in that behalf:

(Plans and sections deposited.)

And whereas plans and sections showing the respective lines and levels of the railways and other works by this Act authorised and of the Llanelly Station Railway and plans of the lands by this Act authorised to be acquired and appropriated and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerks of the peace for the several counties within which those works will be constructed and those lands are situate which plans sections and books of reference are in this Act respectively referred to as the deposited plans sections and books of reference:

(Superfluous lands.)

And whereas it is expedient that further powers should be conferred upon the Company with respect to the sale lease or other disposal of lands acquired by them which are not or eventually may not be required for the purposes of their undertaking:

(Charges on Carnarvonshire Railway.)

And whereas it is expedient that further provision should be made with respect to the rates or charges which the Company may demand in respect of passengers conveyed upon their Carnarvonshire Railway:

(Company and Shropshire Union Companies—Disposal of certain stock of the latter.)

And whereas it is expedient that the Company and the Shropshire Union Railways and Canal Company or one of them should be empowered to sell certain stock in the last-named Company herein-after referred to and to make agreements with reference thereto as herein-after provided:

(Holyhead Old Harbour.)

36 & 37 Vict. c. ccxxv.

And whereas under the authority of the London and North-western Railway (Holyhead Old Harbour) Act 1873 as amended by the London and North-western Railway (New Lines and Additional Powers) Act 1876 the Company are now entitled to the sole and exclusive use enjoyment and occupation for the purposes of their traffic of every description of the portion of the Old Harbour at Holyhead described or referred to in that behalf in section 85 of the last-mentioned Act and it is expedient that they should be empowered to appoint harbour dock and pier-masters and to make byelaws with reference thereto:

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And whereas it is expedient that further provision should be made with respect to the contribution by the Company towards the funds of the London and North-western Railway Provident Society or of any other society of a like character for the benefit of persons in the service either of the Company alone or of the Company and other companies jointly or of the Dundalk Newry and Greenore Railway Company as herein-after provided in that behalf: (Company's provident society.)

And whereas it is expedient that further powers should be conferred upon the Company and the Great Western Railway Company with respect to lands belonging to them in connexion with their Birkenhead Railway and for enabling them to grant rights of building over the said railway and works and other rights or easements as in this Act expressed: (Company and Great Western Railway Company—Birkenhead lands.)

And whereas the Company and the Midland Railway Company are jointly interested in Rugby Station and it is expedient that further powers for the making of agreements between them with respect to such station should be conferred upon them in that behalf as in this Act expressed: (Company and Midland Railway Company—Rugby Station.)

And whereas it is expedient that the Company and the Lancashire and Yorkshire Railway Company respectively should be empowered to raise additional capital and that the said companies and the Great Western Railway Company respectively should be empowered to apply their funds as by this Act authorised: (Additional capital and application of funds.)

And whereas it is expedient that some of the powers and provisions of the existing Acts relating to the Company should be altered amended extended and enlarged and that such further powers should be granted to the Company as are herein-after mentioned: (Amendment of Acts.)

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

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

1. This Act may be cited for all purposes as the London and North-western Railway Act 1882. Short title.

2. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say): Incorporation of general Acts. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106.

The Lands Clauses Consolidation Acts 1845 1860 and 1869;

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The Railways Clauses Consolidation Act 1845 and Part I. (relating to construction of a railway) of the Railways Clauses Act 1863:

32 & 33 Vict. c. 18.
8 & 9 Vict. c. 20.
26 & 27 Vict. c. 92.
8 & 9 Vict. c. 16.

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (namely);

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;

The conversion of the borrowed money into capital;

The consolidation of shares into stock;

The general meetings of the Company;

The making of dividends; and

The giving of notices;

Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to Debenture stock) of the Companies Clauses Act 1863.

26 & 27 Vict. c. 118.

Interpretation.

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

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

The expression "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 those parishes or extra-parochial places in which by the Standing Orders of either House of Parliament plans sections and other documents are required to be deposited with the clerk of the vestry of the parish or with the clerk of the district board for the district in which the parish or extra-parochial place is included mean in the first case the vestry clerks of those parishes and in the second case the clerks of those district boards respectively:

The expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall for the pur-

poses of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power to Company to make new railways &c.

4. Subject to the provisions of this Act the Company may make and maintain in the lines shown on the deposited plans and according to the levels shown on the deposited sections the new railways and the widening alteration and improvement of railway hereinafter 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 that purpose:

The new railways and the widening alteration and improvement of railway herein-before referred to and authorised by this Act to be made and executed by the Company are:—

(1.) The Willesden curve (three furlongs three chains and sixty-five links in length) commencing in the parish of Acton in the county of Middlesex by a junction with the North and South Western Junction Railway and terminating in the parish of Hammersmith in the same county by a junction with the Company's Willesden loop line connecting their Hampstead Junction Railway with the West London Railway:

(2.) The new railways at Rugby

No. 1 (one mile one furlong three chains and thirty-four links in length) commencing in the parish of Rugby in the county of Warwick by a junction with the Company's London and Birmingham Railway and terminating in the parish of Clifton-on-Dunsmore in the same county by a junction with their Rugby and Stamford Railway:

No. 2 (three furlongs eight chains and forty-four links in length) commencing in the parish of Rugby in the county of Warwick by a junction with Railway No. 1 above described and terminating in the parish of Hillmorton in the same county by a junction with the Company's Bletchley Northampton and Rugby Railway:

(3.) A deviation of the Denton and Saddleworth Railway No. 2 authorised by the London and North-western Railway (New Railways) Act 1879 (one mile six furlongs and five chains in length) to be wholly situate in the township of Staley in the parish of Mottram-en-Longdendale in the county of Chester

42 & 43 Vict. c. cxvii.

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commencing by a junction with the said authorised railway and terminating by another junction with the same railway:

(4.) The widening in the township and parish of Liverpool in the county of Lancaster of the Company's Liverpool and Manchester Railway between their Lime Street Station and Back Brownlow Street Liverpool.

Tolls &c. for new railways.

5. With respect to tolls rates and charges and for all other purposes whatever the new railways shall be part of the Company's undertaking and the deviation of the Denton and Saddleworth Railway No. 2 shall be part of that railway and the widening of the Liverpool and Manchester Railway and the works connected therewith shall be part of that railway and the Company may demand tolls rates and charges in respect of the same accordingly not exceeding the tolls rates and charges authorised by the Act (local and personal) ninth and tenth Victoria chapter two hundred and four entitled "An Act to consolidate the London and Birmingham Grand Junction and Manchester and Birmingham Railway Companies" the London and North-western Railway (Additional Powers) Act 1872 the London and North-western Railway (New Lines and Additional Powers) Act 1876 and the London and North-western Railway (Joint and Various Powers) Act 1877.

35 & 36 Vict. c. lxxxvii. 40 & 41 Vict. c. xci.

As to road numbered 12 in Rugby.

6. Notwithstanding anything shown on the deposited plans or sections relating to the new railway at Rugby No. 1 the Company shall not alter the level or rate of inclination of the road numbered on the said plans 12 in the parish of Rugby nor lessen the width between the existing fences and they shall before opening the said Railway No. 1 for traffic raise the parapets of the bridge by which the said road is carried over their existing railway to such height not exceeding six feet above the surface of the said road as the surveyor of highways shall approve.

For protection of Grand Junction Canal.

7. Whereas the railway in this Act called the Willesden Curve is intended to be carried across the Grand Junction Canal and across a road on the north bank of the canal belonging or reputed to belong to the Company of Proprietors of the Grand Junction Canal Therefore the following provisions for the protection of the company of proprietors shall be observed and have effect that is to say—

1. It shall not be lawful for the Company without the previous consent in writing of the Company of Proprietors of the Grand Junction Canal (herein-after called the "Canal Company") under their corporate seal to deviate in the construction of said railway further than twenty yards to the

eastward from the centre line thereof as shown on the deposited plans at the point where the same shall be carried across the Grand Junction Canal (herein-after called "the Canal") nor to make at the said point of crossing any deviation from the level of the said railway as delineated upon the deposited sections which would lower such level and except as herein-after mentioned nothing in this Act contained shall take away diminish or affect any of the rights privileges or powers vested in the canal company and the Company shall not without such consent as aforesaid alter or divert the line or level of the canal or the towing-path thereof or the said road on the north bank of the canal or obstruct or impede the navigation of the canal or the passage along the said towing-path or obstruct or impede the horse or carriage traffic along the said road or divert intercept cut off take use or diminish any of the waters of or in the canal or which may be taken for the use of or which supply the canal or injure or interfere with any of the works of the canal or enter upon take or use except for the limited purposes and in manner herein-after mentioned any part of the canal or the towing-path locks feeders lay-byes wharves warehouses banks bridges floodgates weirs or other works connected therewith or any land belonging to the canal company and nothing in this Act shall compel the canal company to convey to the Company the fee simple of any land belonging to them which may be required for the purposes of the said railway but the same shall remain vested in the canal company subject nevertheless to the right of the Company to construct and maintain the said railway and to have use and possess such way and passage for the said railway as herein-after provided together with all rights and easements necessary for the due use and enjoyment of the same:

2. The Company shall not carry the said railway across the canal or the towing-path thereof or the said road otherwise than by a bridge of brick stone concrete or iron or any of those materials combined and under and subject to the following provisions and conditions that is to say—

No part of the underside of such bridge or of any of the girders thereof shall be less than thirteen feet clear above the top water or weir level of the canal and twelve feet clear above the said towing-path and road

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at the points where the railway is carried over the same respectively :

The bridge shall be carried over the canal and towing-path and over the said road and any other property adjoining thereto respectively in which the canal company are interested by a single span so as to leave a clear uniform and uninterrupted opening over the same The position of the abutments of the said bridge shall be approved by the engineer for the time being of the canal company and the width of such bridge between the parapets shall not in any case exceed thirty-five feet :

Provided always that the Company shall not be required to make the said bridge of greater span than seventy-five feet measured at right angles to the face of the abutments of the bridge :

3. All the before-mentioned works for carrying the said railway over the canal towing-path and road shall be carried on and completed in such manner as that no obstruction shall be caused to the steam vessels boats or barges navigating the canal or the horses towing such boats or barges or to the traffic along the said road as aforesaid and the Company shall not at any time except during the progress of the construction of the said bridge and works connected therewith and except so far as may be necessary for the construction of the said bridge of the width aforesaid diminish or contract the free and uninterrupted navigable waterway in the canal or the width of the towing-path thereof or of the said road and during the progress of such construction shall at all times leave an open and uninterrupted navigable width of waterway in the canal of not less than twenty-one feet with a width of six feet of towing-path and a clear headway throughout of ten feet above the top water or weir level of the canal and shall also leave a width of roadway on the north bank of the canal of ten feet with a clear headway of ten feet and the said bridge and all the works connected therewith shall be constructed and for ever thereafter maintained in good substantial repair by the Company and so far as relates to all necessary precautions for the safety of the canal and the towing-path and banks thereof respectively and the water in the canal and the works connected therewith and for preserving a free and uninterrupted

passage along the canal and the towing paths thereof and along the said road the said bridge and the works connected therewith and all future repairs thereof that may be required from time to time shall be constructed and performed according to plans and specifications to be submitted to and be subject to the reasonable approval of the engineer for the time being of the canal company previously to the commencement of the works which works shall be commenced carried on and completed under the superintendence and to the reasonable satisfaction of such engineer and in case during the construction of the said bridge or of any of the works connected therewith any damage shall be occasioned to the canal or the towing-path or works thereof respectively the Company shall forthwith under such superintendence and to such reasonable satisfaction as aforesaid restore the same to the same state and condition as before the happening of any such damage and if the said bridge or any of the works connected therewith or any part thereof shall be imperfectly constructed or if at any time or times hereafter the said bridge or any part thereof shall be out of repair or if in sinking the foundations of the abutments or walls of the said bridge or the works connected therewith respectively or otherwise any loss of water or any obstruction of the navigation of the canal or to the free passage of traffic along the said towing-path and road as aforesaid shall occur and if notice in writing thereof shall be given by the clerk or engineer of the canal company to the Company or their secretary and the Company shall not for the space of fourteen days after such notice shall have been given or forthwith if the nature of the case shall require it well sufficiently and effectually amend such construction repair such bridge or works prevent such loss of water or remove such obstruction (as the case may be) under such superintendence and to such reasonable satisfaction as aforesaid and complete the same with all reasonable expedition it shall be lawful for the canal company from time to time to make good such construction to perform such repairs to prevent such loss of water or to remove such obstruction as the case may require and the Company shall from time to time pay to the canal company within fourteen days after demand all the costs and expenses which may be reasonably incurred by them from time to time in any such operations and in and about the superintendence of any of the herein-before

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of the acquisition thereof by the Company notwithstanding that the buildings thereon or forming part thereof may have been taken down.

Period for completion of new railways.

9. If the Willesden curve or the new railways at Rugby or the deviation of the Denton and Saddleworth Railway No. 2 are or is not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing any of the said railways then not completed or otherwise in relation thereto shall cease to be exercised except as to so much thereof respectively as is then completed.

Imposing penalty unless new railways opened.

10. If the Company fail within the period limited by this Act to complete any or either of the said railways the Company shall be liable to a penalty of fifty pounds for every day after the expiration of the period so limited until the uncompleted railway or railways are or is completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the railway or railways in respect of which the penalty has been incurred:

The said penalty may be applied for by any landowner or other person claiming to be compensated in reference to the railways or railway in respect of which the penalty has been incurred in accordance with the provisions of the next following section of this Act or by the Solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854:

17 & 18 Vict. c. 31.

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 and with the privity of Her Majesty's Paymaster-General on behalf of the Chancery Division of the High Court of Justice in the bank and to the credit named in such warrant or order and shall not be paid thereout except as hereinafter 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 the uncompleted railway or railways by unforeseen accident or circumstances beyond their control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty for non-completion of new railways.

11. 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 may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or railways in respect of which the penalty has been incurred or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers conferred upon the Company by this Act of taking property for the purposes of such railway or railways and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice may seem fit:

If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have 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 either be forfeited to Her Majesty and accordingly be paid to or for the account of Her Majesty's Exchequer in such manner as the said Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the said Chancery Division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Abandonment of portion of authorised Denton and Saddleworth Railway No. 2.

12. The Company shall abandon the construction of so much of the before-mentioned Denton and Saddleworth Railway No. 2 as lies between the commencement and termination of the deviation of that railway herein-before described and so much of subsection 1 of section 4 of the London and North-western Railway (New Railways) Act 1879 as provides that the Company shall not within the limits of deviation construct the said railway in the parish of Mottram-en-Longdendale westward of the red line shown on the copy of the deposited plans therein referred to and section 10 of the said Act shall be and the same are hereby repealed.

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Abandonment not to affect right to compensation for damage to land by entry &c. for purposes of work abandoned.

13. The abandonment by the Company under the authority of this Act of the work mentioned in the last preceding section shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the London and North-western Railway (New Railways) Act 1879.

Compensation to be made in respect of work abandoned.

14. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the work authorised to be abandoned by this Act the Company shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Revival of powers for purchase of lands for Llanelly Station Railway.

15. The powers granted by the London and North-western Railway (New Lines and Additional Powers) Act 1876 for the compulsory purchase of lands so far as the same relate to or affect the Llanelly Station Railway by that Act authorised are by this Act revived and continued for the period of two years from the passing of this Act and may subject to the provisions of the said Act be exercised by the Company for that period as fully and effectually as if that period had been the period prescribed by the first-mentioned Act for the exercise thereof.

Revival of powers for construction of Llanelly Station Railway.

16. The powers granted by the London and North-western Railway (New Lines and Additional Powers) Act 1876 for the construction of the Llanelly Station Railway by that Act authorised

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are hereby revived and continued for the period of three years from the passing of this Act and may subject to the provisions of the said Act be exercised by the Company for that period as fully and effectually as if that period had been the period prescribed by the first-mentioned Act for the exercise thereof and section 24 of that Act so far as the same relates to or affects the said railway shall be read and construed accordingly :

If the Llanelly Station Railway be not completed within the said period of three years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the same or otherwise relating thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Power to Company to make new roads and other works.

17. Subject to the provisions of this Act the Company may in the lines shown on the deposited plans and according to the levels shown on the deposited sections make the new roads and streets and deviations or alterations of roads and may in the lines shown on the deposited plans make the new footpaths and alterations of footpaths and may execute the other works herein-after described with all proper works and conveniences connected therewith respectively and may exercise the other powers herein-after mentioned 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 and other purposes (that is to say) :

1. They may in the parish of Saint John Hampstead in the county of Middlesex (Finchley Road.)

   Widen to the extent of seven yards or thereabouts on the north-west side thereof the bridge which carries the Company's Hampstead Junction Railway over the Midland Railway near West End Lane ;

2. They may in the township of Bolehall and Glascote in the parish of Tamworth in the county of Warwick (Tamworth.)

   Divert and carry under the Company's Trent Valley Railway the footpath which now crosses the said railway on the level at the east end of the Tamworth station and may stop up and discontinue so much of the said footpath as lies between the boundaries of the Company's property ;

3. They may in the parish of Birmingham in the county of Warwick (Birmingham.)

   (1) Make a new street commencing by a junction with Station Street twenty-six yards or thereabouts north-east of the

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junction of that street with Hill Street and terminating at the junction of Worcester Street and Great Queen Street;

(2) Alter the levels of so much of Dudley Street as will be situate between the said intended new street and Inkley Street;

(3) Stop up and appropriate to the purposes of the Company's undertaking the sites of so much of Station Street and Dudley Street as lies to the north of the said authorised new street;

(4) Acquire by compulsion or agreement certain lands lying between Station Street Dudley Street and the said new street and certain other lands lying between the north-west side of Old Meeting Street and Dudley Street and certain other lands lying between the north-east side of Old Meeting Street and Worcester Street and certain other lands being the houses and premises numbered 89 and 90 in Hill Street;

(Lichfield Roads.)

4. They may in the townships of St. Michael Lichfield and Streethay in the parish of St. Michael Lichfield in the city and county of the city of Lichfield and in the county of Stafford

(1) Alter and divert for a distance of one hundred and eighty yards or thereabouts on each side of their South Staffordshire Railway the public road which now crosses that railway on the level at a point six hundred and fifty yards or thereabouts south-west from the crossing by that railway of their Trent Valley Railway and carry the said road over the first-mentioned railway and may stop up and discontinue and appropriate to the purposes of their undertaking so much of the said public road as lies between the boundaries of their property:

(2) Alter and divert the under-mentioned portion of the public road which now crosses on the level their Trent Valley and South Staffordshire Railways respectively at points thereon one hundred and fifty yards or thereabouts south-east and two hundred and fifty yards or thereabouts north-east respectively of the bridge which carries the latter over the former of those railways that is to say So much thereof as lies between a point eighty yards or thereabouts south of the said Trent Valley level crossing and a point seventy yards or thereabouts north of the said South Staffordshire level crossing and may carry the said road over the said Trent

Valley Railway and under the said South Staffordshire Railway and may stop up and discontinue and appropriate to the purposes of their undertaking so much of the said road as lies between the boundaries of their property : A.D. 1882.

5. They may in the township of Salford in the parish of Manchester in the county of Lancaster (Ordsall Lane.)

(1) Construct an additional archway or opening under West Egerton Street on the south side of and adjoining the existing archway or opening by which that street is carried over their Liverpool and Manchester Railway :

(2) Construct additional archways or openings under Oldfield Road on the south side of and adjoining the existing archway or opening by which that road is carried over their Liverpool and Manchester Railway :

6. They may in the townships of Newton and Gorton in the parish of Manchester in the county of Lancaster (Longsight Footpath.)

Divert and stop up so much of the existing footpath which now passes along the east side of their Stockport and Manchester Railway at Longsight Station as extends for a distance of one hundred and seventy-five yards or thereabouts measured in a northerly and easterly direction along the said footpath from Kirkmanshulme Lane ;

7. They may in the township of Widnes in the parish of Prescot in the county of Lancaster : (Lugsdale Road.)

(1) Stop up and appropriate to the purposes of their undertaking the site of so much of Lugsdale Road Widnes as extends from the level crossing of that road by their Saint Helen's Railway known as the Vineyard level crossing to a point on the said road ninety yards or thereabouts east of the junction of Poole Street therewith ;

(2) Construct a footbridge for the purpose of carrying over their Saint Helen's Railway the public footpath known as Bradley footpath which now crosses that railway on the level three hundred and seventy yards or thereabouts north-east of the Vineyard level crossing aforesaid and may stop up and discontinue so much of the said footpath as will be rendered unnecessary by the construction of the said footbridge ;

8. They may in the township of Halewood in the parish of Childwall in the county of Lancaster :

In constructing the widening of their Garston and Warrington Railway authorised by the London and North Western Railway (New Railways &c.) Act 1878— 41 & 42 Vict. c. clxxxii.

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(Ditton Road.)

(1) Alter the levels of so much of the road which now passes over that railway at the Ditton station as extends for a distance of one hundred and sixty yards or thereabouts southwards from that railway;

(Halebank Road.)

(2) Alter the levels of so much of the road which now crosses that railway on the level at the Halebank station (being the road numbered on the deposited plans referred to in the said Act 38 in the parish of Childwall) as lies between two points respectively one hundred and ten yards or thereabouts north and one hundred and sixty-five yards or thereabouts south of the said level crossing and carry the said road under the said railway;

Sub-section 3 of section 18 of the London and North-western Railway (New Railways &c.) Act 1878 relating to the said road is hereby repealed;

9. They may in the township of West Derby in the parish of Walton-on-the-Hill in the county of Lancaster:

(Back Highgate Street.)

Make two new streets between Highgate Street and Back Highgate Street alongside their Liverpool and Manchester Railway as authorised to be widened by the London and North-western Railway (New Railways &c.) Act 1878 one being on the north side and the other on the south side of the said railway and may stop up and discontinue so much of Back Highgate Street as lies between the said new streets and may take down and remove the bridge or tunnel by which the said street is now carried over the said railway;

Sub-section 6 of section 33 of the London and North-western Railway (New Railways &c.) Act 1878 so far as the same relates to Back Highgate Street is hereby repealed;

(Back Brownlow Street.)

10. They may in the township and parish of Liverpool in the county of Lancaster:

Make a new street from Brownlow Street to Back Brownlow Street along the north side of their Liverpool and Manchester Railway as widened under the provisions of this Act and may stop up and discontinue so much of Back Brownlow Street as lies between two points respectively thirty and fifty-three yards or thereabouts north of its junction with Brownlow Hill and may take down and remove the bridge or tunnel by which the said street is now carried over their said railway;

Sub-section 6 of section 33 of the London and North-

western Railway (New Railways, &c.) Act 1878 so far as the same relates to Back Brownlow Street is hereby repealed:

(Saddleworth.)

11. They may in the township of Saddleworth in the parish of Rochdale in the West Riding of the county of York:

(1) Stop up and divert so much of the bridle road known as Pickhill Lane as extends from the west side of their Denton and Saddleworth Railway No. 2 now in course of construction to Pickhill Brook and may carry the same along the western side of the said railway for a distance of one hundred and fifty yards or thereabouts and thence under that railway to join the said existing bridle road at Pickhill Brook aforesaid:

(2) Make two new footpaths one thereof commencing by a junction with the existing footpath which crosses on the level their Huddersfield and Manchester Railway near the Dobcross Ironworks ten yards or thereabouts east of the said level crossing and terminating by a junction with another footpath which crosses on the level the said railway one hundred and fifty yards or thereabouts south of the first-mentioned existing footpath such junction being forty yards or thereabouts east of the last-named level crossing and the other of such new footpaths commencing by a junction with the first-mentioned existing footpath immediately west of the first-mentioned level crossing and passing eastward under the said railway to a junction with the new footpath first described And may stop up and discontinue so much of the said existing footpaths as extends from the western boundary of the said railway to the new footpath first described:

(Mostyn Roads.)

12. They may in the townships of Bychton and Mostyn in the parish of Whitford in the county of Flint:

(1) Make a new bridge over their Chester and Holyhead Railway twelve hundred yards or thereabouts east of Mostyn Station at or near the junction of the new and old turnpike roads from Holywell to Mostyn;

(2) Alter the levels of the said old turnpike road for the respective distances of one hundred and fifty yards or thereabouts in a south-easterly and sixty yards or thereabouts in a north-westerly direction from the said junction;

(3) Alter the levels of the said new turnpike road for a distance of forty yards or thereabouts in a north-westerly direction from the said junction;

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(4) Alter the levels of the road leading southwards from the said junction for a distance of twenty yards or thereabouts from the said junction;

(5) Take down and remove the existing bridge over the said railway at the said junction:

(Abergele Road.)

13. They may in the parish of Abergele in the county of Denbigh,

Alter and divert so much of the public carriage road from Abergele to Rhyl as extends from a point two hundred and seventy-five yards or thereabouts south-west to a point eighty yards or thereabouts north-east of the level crossing of that road by their Chester and Holyhead Railway and carry the said road over the said railway and may stop up and discontinue and appropriate to the purposes of their undertaking so much of the said road as lies between the boundaries of their property And may acquire by compulsion or agrcement certain lands lying between Towyn Hall and the Rhuddlan Marsh Embankment contiguous to the sea shore:

Provided that the Company shall not stop up any road street or footpath by this section authorised to be stopped up until they shall have completed and opened to the public the diversion of such road street or footpath or the new road street or footpath (if any) as the case may be by this section authorised to be made in lieu of the road street or footpath so to be stopped up.

For protection of Midland Railway Company

18. In constructing and maintaining the works authorised by this Act where they will pass over the Midland Railway in the parish of Saint John Hampstead in the county of Middlesex 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 proposed widening over the Midland Railway shall be constructed of the same width and headway as the existing bridge:

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 engineer of the Midland Railway Company and in all things at the expense of the Company:

4. The Company shall also indemnify the Midland Railway Company for any damage or compensation which may be 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 during the construction of the works:

5. 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:

6. The amounts to be paid for the acquisition of such easement shall in case of dispute be settled in the manner provided by the Lands Clauses Consolidation Act 1845 with respect to the purchase of lands otherwise than by agreement.

For protection of Corporation of Birmingham.

19. In the execution of the works in the borough of Birmingham the following provisions for the protection of the mayor aldermen and burgesses of the borough of Birmingham (in this section called the Corporation) shall have effect:—

1. The word "street" when used in this section shall include any street road highway lane bridge passage or place and the footways thereof respectively:

2. The provisions of the Railways Clauses Consolidation Act 1845 contained in the sections 18 to 23 shall subject to the provisions of this Act extend and apply to the water and gas mains pipes and apparatus of the Corporation and whenever in those sections the word "company" or "society" are used the same shall for all the purposes of this Act be held to extend to and include the Corporation:

3. The Company shall not break up any street or interfere with any sewer drain or watercourse or any gas or water main pipe or apparatus of the Corporation until they shall have given to the town clerk three clear days' notice in writing of their intention to commence the intended works accompanied by plans and sections and other necessary particulars

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showing the works proposed to be executed by the Company so far as they affect the streets sewers drains watercourses gas and water mains pipes and apparatus proposed to be interfered with:

4. Where the surface of any street has been interfered with or disturbed by the Company in constructing the works or performing the operations by this Act authorised the Company shall well and sufficiently and to the satisfaction of the Corporation restore the surface so interfered with or disturbed and shall keep the same in efficient repair for one year from such restoration:

5. Whenever it may be necessary to interrupt or interfere with any existing sewer or drain the Company shall before interrupting or interfering with such existing sewer or drain construct according to a plan to be reasonably approved of by the Corporation another sewer or drain in lieu of and of equal capacity with the sewer or drain so proposed to be interrupted or interfered with and such sewer or drain or substituted sewer or drain shall be connected by and at the expense of the Company with any existing sewer or drain which may be interrupted or interfered with and in such manner as shall be reasonably approved by the Corporation:

6. Wherever the water or gas mains pipes or apparatus of the Corporation should be severed or interfered with in the execution of any of the powers of this Act and wherever it is necessary for maintaining the supply of water or gas to lay additional mains or pipes such additional mains or pipes shall previous to the severance or interference be laid by the Corporation at the expense of the Company:

7. If by reason of the execution of any of the powers of this Act the Corporation shall necessarily incur any cost in altering any existing sewer or drain gas or water main pipe or apparatus the Company shall repay to the Corporation such additional cost:

8. If by reason of the execution of any of the powers of this Act any increased length of sewers drains gas or water mains or pipes or any additional apparatus shall become necessary the same shall be forthwith constructed and laid by the Company upon such plan and in such reasonable manner as shall be approved of by the Corporation:

9. The Corporation and the Company may enter into and carry into effect agreements for any variations in the works to be

done under this section or in the mode of executing the same:

10. The Company shall from time to time pay to the Corporation all rates leviable by or payable to the Corporation upon the respective assessments of any lands or property shown upon the deposited plans or a proportion of such rates respectively from the time such lands or property respectively shall be acquired by the Company until the Company's works are completed and assessed to such rates and the amount of such rates payable by the Company shall be computed according to the assessments of such lands or property in force at the time of such acquisition notwithstanding that the buildings thereon or forming part thereof may have been taken down Provided always that the Company shall not be charged with or be liable to the payment of any such rates upon any building or property which or part of which is required for the making of a new street or the widening or improving of an existing street as provided by this Act:

11. Any difference between the Corporation and the Company as to the true intent and meaning of any of the provisions of this section shall be determined as prescribed in the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration.

For protection of Corporation of Salford.

20. For the protection of the mayor aldermen and burgesses of the borough of Salford (in this section called the Corporation) the following provisions with respect to the powers by this Act conferred upon the Company within the borough of Salford shall have effect that is to say:

1. The provisions of sections 18 to 23 (both inclusive) of the Railways Clauses Consolidation Act 1845 shall extend and apply to the gas and water mains pipes and apparatus of the Corporation and to the Corporation in respect thereof as though the Corporation were a gas or water company or society:

2. If by reason of the execution of the powers of this Act any additional gas or water mains pipes sewers or drains or any increased lengths or capacity thereof respectively be rendered necessary the same shall be respectively provided laid and constructed by the Corporation at the cost of the Company:

3. If by reason of the execution of the powers of this Act the Corporation shall at any time incur any additional cost in repairing or altering any gas or water main pipe or apparatus

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or any sewer or drain such additional cost shall be repaid by the Company to the Corporation :

4. Before the Company interfere with any existing sewer or drain they shall to the reasonable satisfaction of the Corporation and at the cost of the Company and in accordance with plans and sections to be previously submitted and reasonably approved of by the Corporation construct a sufficient substituted sewer or drain and connect the same with the sewer or drain so interfered with :

5. Nothing in this Act shall interfere with the rights or powers of the Corporation in relation to the making of new sewers and drains :

6. Before the Company obstruct any street or road they shall to the reasonable satisfaction of the Corporation and at the cost in all things of the Company provide and thenceforward until such obstruction be removed maintain proper accommodation for the traffic thereof and access to houses and property therein with proper fences and lights :

7. All streets the surface of which shall be disturbed by the Company shall be restored to the reasonable satisfaction of the Corporation and at the cost in all things of the Company.

Power to Company to acquire additional lands &c.

21. Subject to the provisions of this Act and in addition to the other lands which the Company are by this Act authorised to acquire the Company may from time to time enter upon take use and appropriate to the purposes of extending the station siding warehouse wharf depôt mineral goods and other accommodation of the Company and for other purposes connected with their undertaking the lands houses and buildings herein-after described or referred to and may in connexion with such use and appropriation execute the works and exercise the powers herein-after mentioned (that is to say) :

IN THE COUNTY OF MIDDLESEX

(Hampstead.) Certain lands in the parish of Saint John Hampstead lying on the west side of and adjoining West-End Lane and between the Company's Hampstead Junction Railway and the Metropolitan Railway :

IN THE COUNTY OF BUCKINGHAM

(Bletchley.) Certain lands in the township of Fenny Stratford in the parish of Bletchley lying on the east side of and adjoining the Company's London and Birmingham Railway and on the south

side of and adjoining their Bedford Branch Railway at the junction of those railways:

(Castlethorpe.) Certain lands in the parish of Castlethorpe lying on the south-west side of and adjoining the Company's London and Birmingham Railway opposite the farm buildings known as Castlethorpe Lodge Farm And the Company may stop up and discontinue so much of the occupation road leading from the said farm to the said lands as lies between the boundaries of their property:

In the County of Northampton

(Kingsthorpe.) Certain lands in the parish of Kingsthorpe lying on the south-west side of and adjoining the Company's Bletchley Northampton and Rugby Railway at the junction of that railway and their Northampton and Market Harborough Railway and between the first-mentioned railway and the River Nene:

(Harlestone.) Certain lands in the parish of Harlestone lying on the south-west side of and adjoining the Company's Bletchley Northampton and Rugby Railway and on the south-east side of and adjoining the public road from Church Brampton to Harlestone:

(Althorp.) Certain lands in the parish of Holdenby lying on the north side of and adjoining the Althorp goods station on the Company's Bletchley Northampton and Rugby Railway:

In the County of Warwick

(Tamworth.) Certain lands in the township of Bolehall and Glascote in the parish of Tamworth lying on the north side of and adjoining the Company's Trent Valley Railway at the Tamworth station and between the Midland Railway and the River Anker:

(Hampton-in-Arden.) Certain lands in the parish of Hampton-in-Arden lying on the south-west side of and adjoining the Company's London and Birmingham Railway and extending from the road from Hampton-in-Arden to Berkswell to a point two hundred and eighty yards or thereabouts south-east of the bridge carrying the road from Hampton-in-Arden to Stone Bridge and Meriden over the said railway:

(Adderley Park.) Certain lands in the parish of Aston-juxta-Birmingham lying on the north side of and adjoining the Company's London and Birmingham Railway at the Adderley Park station being the house and premises known as the Station Hotel and also certain other lands on the north side of and adjoining the said hotel:

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IN THE COUNTY OF STAFFORD

(Burton-upon-Trent.) Certain lands in the township and parish of Burton-upon-Trent lying at the south-east corner of the Company's engine shed at their Hawkins Lane goods station:

IN THE COUNTY OF CHESTER

(Crewe.) Certain lands partly in the township of Shavington-cum-Gresty in the parish of Wybunbury and partly in the township of Crewe in the parish of Barthomley lying between and adjoining the Company's Grand Junction Railway and their Crewe and Shrewsbury Railway and Gresty Lane:

(Winsford.) Certain lands in the township of Wharton in the parish of Davenham lying on the south-west side of and adjoining the Company's Grand Junction Railway on the west side of and adjoining the branch leading therefrom to the works of the Wharton Railway and River Salt Works Company Limited And the Company may divert and carry over the said branch the occupation road which now crosses the same on the level at or near the southern end of the lands so to be acquired and may stop up and discontinue the said level crossing:

(Acton Bridge.) Certain lands in the township of Acton in the parish of Weaverham lying on the south-west side of and adjoining the Company's Grand Junction Railway and on the north-west side of and adjoining the public road which passes over that railway at the Acton Bridge station and certain other lands in the said township of Acton on the south-west side of and adjoining the said station:

(Stockport.) Certain lands in the township and parish of Stockport lying on the west side of and adjoining Wellington Road South and between the old and new approach roads to the Company's Stockport station:

IN THE COUNTY OF LANCASTER

(Liverpool.) Certain lands in the township and parish of Liverpool lying on both sides of and adjoining No. 2 Court in Bolton Street at its western end:

Certain other lands in the same township and parish being all the houses and premises in Caxton Place and Caxton Buildings and the houses and premises numbered respectively 4 and 6 in Moffatt's Place 1 to 10 inclusive in Thomas' Place 13 15 17 19 21 23 25 27 29 31 33 and 35 in Bolton Street and 12 14 16 18 20 22 24 26 and 28 in Hilbre Street And the

Company may stop up and discontinue and appropriate the sites of Caxton Place Caxton Buildings and Moffatt's Place and of any other streets footpaths courts alleys or passages lying within the limits of the lands so to be acquired:

Certain other lands in the same township and parish lying between and adjoining Copperas Hill Ainsworth Street and Pellew Street:

Certain other lands in the same township and parish lying between and adjoining Russell Street and Back Russell Street and on the south side of and adjoining the Company's Liverpool and Manchester Railway:

Certain other lands in the same township and parish being the houses and premises numbered 19 and 21 in Russell Street:

Certain other lands in the same township and parish lying between and adjoining Jervis Street and Trowbridge Street and on the south side of and adjoining the Company's stables:

Certain other lands in the same township and parish being the houses and premises numbered 67 in Great Newton Street and 46 in Pembroke Street:

Certain other lands in the same township and parish lying between and adjoining Pembroke Street and Brownlow Street and on the south side of and adjoining the Company's Liverpool and Manchester Railway:

Certain lands in the township of West Derby in the parish of Walton-on-the-Hill lying between and adjoining Wavertree Road Tunnel Road and the Company's railway: (Edge Hill.)

Certain lands (including the site of Leigh Road) in the township of West Derby in the parish of Walton-on-the-Hill lying on the north side of and adjoining Wavertree Road and between the end of Botanic Road and the property of the Company And the Company may construct additional archways or openings under the Wavertree Road on the north-west side of and adjoining the bridge carrying that road over their Liverpool and Manchester Railway and may alter the levels of that road for a distance of two hundred and thirty yards or thereabouts north-west from the said bridge: (Wavertree.)

Certain lands in the township of West Derby in the parish of Walton-on-the-Hill lying on the east side of and adjoining the Company's Edge Hill and Bootle Railway and extending for a distance of six hundred and fifty yards or thereabouts south from the Breck Road Station: (Breck Road.)

Certain lands in the township of Widnes in the parish of Prescot lying on both sides of and adjoining Pearson Street and Penn (Widnes.)

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Street Widnes and certain other lands being the houses and premises numbered 1 3 5 7 9 11 13 15 and 17 in Earle Street And the Company may stop up and discontinue and appropriate to the purposes of their undertaking the sites of Pearson Street and Penn Street aforesaid and of any other streets footpaths courts alleys or passages lying within the limits of the lands so to be acquired :

(Collins Green.) Certain lands in the township of Burton Wood in the parish of Warrington lying on both sides of and adjoining the Company's Liverpool and Manchester Railway and adjoining and east of Collins Green Lane And they may stop up the occupation level crossing over the said railway one hundred yards or thereabouts east of the said lane :

(Springs Branch.) Certain lands in the township of Ince-in-Makerfield in the parish of Wigan lying on the east side of and adjoining the Company's Springs Branch Railway near its junction with the North Union Railway And certain other lands lying on the same side of and adjoining the North Union Railway near the engine shed at the said junction And certain other lands lying on the south-east side of and adjoining the said Springs Branch Railway and on the east side of and adjoining the Warrington Road where it passes over that railway :

(Hindley.) Certain lands partly in the township of West Leigh and partly in the township of Atherton both in the parish of Leigh lying on the south side of and adjoining the Company's Eccles Tyldesley and Wigan Railway and extending seven hundred yards or thereabouts westward from Lovers Lane And the Company may divert to the westward and carry under the said railway the footpath which now crosses that railway on the level near the western end of the said lands and may stop up and discontinue so much of that footpath as extends in a south-westerly direction for a distance of two hundred and ten yards or thereabouts from the northern boundary of the said railway :

(Levenshulme.) Certain lands in the township of Levenshulme in the parish of Manchester lying on the east side of and adjoining the Company's Stockport and Manchester Railway and extending for a quarter of a mile or thereabouts southward from William Pitt Street :

IN THE WEST RIDING OF THE COUNTY OF YORK

(Wortley.) Certain lands partly in the township of Beeston in the parish of Leeds and partly in the township of Wortley in the same

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parish lying on the north-west side of and adjoining the Company's Leeds and Dewsbury Railway and extending for a distance of five hundred yards or thereabouts south-west from the Wortley station And certain other lands in the said township of Wortley lying on the south-east side of and adjoining the said railway and extending for a distance of three hundred and fifty yards or thereabouts south-west from the said station :

(Doncaster.) Certain lands in the township of Balby-with-Hexthorpe in the parish of Doncaster lying on the north-east side of and adjoining the Great Northern Railway and at the junction of the two roads known as Decoy Bank and Red Bank :

IN THE COUNTY OF CARNARVON

(Llandudno Junction.) Certain lands partly in the parish of Llangwystenin and partly in the parish of Eglwys Rhos otherwise Llanrhos lying on the north side of and adjoining the Company's Chester and Holyhead Railway two hundred and eighty yards or thereabouts east of the junction therewith of the branch railway to Bettws-y-Coed :

(Deganwy.) Certain lands in the parish of Eglwys Rhos otherwise Llanrhos being a portion of the foreshore and bed of the River Conway and situate and lying four hundred and fifty yards or thereabouts southward from Deganwy Station on the Company's Saint George's Harbour Railway and adjoining certain other lands and foreshore authorised to be acquired by the Company by the London and North-western Railway (Additional Powers) Act, 1878. 41 & 42 Vict. c. clxxxi.

For protection of Corporation of Liverpool.

22. In constructing within the city of Liverpool the works by this Act authorised the Company shall notwithstanding anything in this Act contained conform to fulfil and observe the following provisions obligations regulations and restrictions and the same shall save so far as may at any time hereafter be agreed between the Corporation and the Company have effect within the said city and the expression "the Corporation" in this section shall mean the mayor aldermen and citizens of the city of Liverpool :

1. The Company may and shall purchase and take and the Corporation may and shall sell and grant at the price of two thousand five hundred pounds per acre the two pieces of land situate in the township of West Derby in the parish of Walton-on-the-Hill in the county of Lancaster and containing together by admeasurement two acres two roods

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nineteen perches or thereabouts which pieces of land hereby authorised to be taken and sold are distinguished in the copy of the deposited plan signed in duplicate by the engineer of the Company and the surveyor of the Corporation by a pink colour :

2. The Company shall on the completion of the purchase of the said two pieces of land or on taking possession thereof which shall first happen forthwith take down the existing fence wall and railing marked on the said plan by the letters B E and erect a new fence wall and railing of the same pattern to the reasonable satisfaction of the Corporation along the boundary of the remaining lands of the Corporation forming part of Wavertree Park and marked on the said plan by the letters B C D Provided always that the Company may re-erect or use the materials of the existing fence wall so far as they are available for the purpose :

3. The Company shall not otherwise than by agreement purchase or take the lands numbered 8 on the deposited plans or any part thereof except as herein-before provided nor shall they stop up any portion of Leigh Road other than so much thereof as is situate to the east of the line A B on the said plan :

4. The Company shall not without the consent of the Corporation and of their lessees the Liverpool United Tramways and Omnibus Company purchase or take any part of the tramway lines leased to that company nor without the like consent interfere with the free use of any of such tramways except so far as may be temporarily necessary for the construction of the additional archway under the Wavertree Road as authorised by this Act and the works in connexion therewith And the Company shall compensate the Corporation and their lessees for all expenses damages and loss sustained by them respectively through the diversion of the said traffic over any substituted route or by the interruption thereof such compensation to be settled in case of difference in the manner provided by the Lands Clauses Consolidation Act 1845 and the Company shall pay to the Corporation all costs charges and expenses of and incidental to providing and maintaining a substituted route and laying and maintaining rails thereon during the time the existing tramway or any portion thereof is interrupted or interfered with and also all costs charges and expenses of the reconstruction and relaying of the tramways and rails so interrupted or

interfered with and the Corporation may recover all such costs charges and expenses in any court of competent jurisdiction:

5. Where the surface of any street road passage or place has been interfered with or disturbed by the Company in constructing the works or performing the operations by this Act authorised the Company shall well and sufficiently and to the satisfaction of the Corporation restore the surface so interfered with or disturbed and so much of the surface of any other street court passage or place adjoining such street as aforesaid as it shall be rendered necessary to alter by such interference and shall maintain in efficient repair the said surface for twelve months to the like satisfaction:

6. In all cases where streets roads passages or places are temporarily diverted the Company shall provide accommodation for the traffic and access to houses and other places with proper fences and lights to the satisfaction of the Corporation and shall maintain such accommodation and access fences and lights to the like satisfaction:

7. In any case where any house or other building shall be severed by the Company the Company shall to the reasonable satisfaction of the Corporation build up such house or building so as to prevent unsightly appearances:

8. Whenever it may be necessary to intercept or interfere with any existing sewer or drain the Company shall before intercepting or interfering with such existing sewer or drain construct at their own expense according to a plan to be prepared by the city engineer other sewers or drains in lieu of and of not less than equal capacity with the sewer or drain so proposed to be intercepted or interfered with and such substituted sewers or drains shall be connected by and at the expense of the Company with any existing sewers or drains which may be intercepted or interfered with and in such manner as shall be approved by the Corporation:

9. If by reason of the execution of any of the powers of this Act any additional sewers or drains or any increased length of sewers or drains shall become necessary the same shall be constructed by the Corporation at the expense of the Company:

10. If by reason of the execution of any of the powers of this Act the Corporation shall at any time necessarily incur any cost in altering any existing sewer or drain the Company

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shall repay to the Corporation such cost and the same may be recovered in default of payment in any court of competent jurisdiction:

11. In every case where the level of any street passage or place is authorised to be altered by the Company the portion of such street passage or place of which the level shall be altered shall be paved and flagged where now paved or flagged or restored to the same condition as at present and in all respects completed at the expense of the Company and to the satisfaction of the Corporation:

12. The provisions of the Railways Clauses Consolidation Act 1845 contained in sections 18 to 23 inclusive shall apply to the water mains and pipes of the Corporation and whenever in those sections the words "Company" or "Society" are used the same shall for all the purposes of this Act be held to extend to and include the Corporation:

13. Wherever the mains or water pipes of the Corporation shall be severed or interfered with by the works authorised by this Act, and wherever it is necessary for the maintaining the supply of water to lay additional mains or water pipes they shall previous to the severance or interference be laid by the Corporation at the expense of the Company:

14. If by reason of the execution of any of the powers of this Act any increased length of mains or water pipes shall become necessary the same shall be laid down by the Corporation at the expense of the Company:

15. Wherever by the appropriation or destruction of property by this Act authorised any mains or water pipes laid for the supply of such property (except pipes inside such property) shall be rendered unnecessary the Company shall pay to the Corporation the cost of laying an equivalent length of main or water pipe and the cost of the works required for the discontinuation of those mains or water pipes rendered unnecessary to such amount as shall be estimated by the water engineer of the Corporation and the mains and water pipes so rendered unnecessary shall be the property of the Company:

16. The Company shall from time to time pay to the Corporation all sanitary and other municipal rates leviable by or payable to the Corporation upon the respective assessments of any lands or property shown upon the deposited plans or a proportion of such rates respectively from the time such lands or property shall be acquired by the Company until the

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authorised works are completed and assessed to such municipal rates and the amount of such rates payable by the Company shall be computed according to the assessments of such lands or property in force at the time of such acquisition notwithstanding that the buildings thereon or forming part thereof may have been taken down Provided always that the Company shall not be charged with or be liable to the payment of any such rates upon any building or property which or part of which is required for the making of a new street or the widening or improving of an existing street as provided by this Act:

17. Nothing in this Act contained shall extend to or be deemed construed or taken as in anywise extending to alter extinguish prejudice diminish affect or disturb or as authorising anything to be done or omitted to be done so as to alter extinguish prejudice diminish affect or disturb the rights and interests of the Corporation their successors or assigns under and by virtue of an indenture made the ninth day of May one thousand eight hundred and fifty-seven between John Shaw Leigh of Liverpool of the one part and the Corporation of the other part with respect to the formation and repair of a main sewer running through the lands or some portion thereof in the township of Wavertree which the Company are by this Act empowered to take and use but all the said powers and rights of the Corporation created and reserved by the said indenture of the ninth day of May one thousand eight hundred and fifty-seven shall be enjoyed by the Corporation as fully and effectually as if this Act had not been passed and the Company shall at all times give all reasonable facilities for the same enjoyment.

For protection of Liverpool United Gas Company.

23. The following provisions for the protection of the Liverpool United Gaslight Company (herein-after called "the Liverpool Gas Company") shall be observed and have effect:

1. Before removing or displacing any main pipe plug or other work of the Liverpool Gas Company or doing anything which may cause any impediment to the passage of gas through any of the said mains or pipes the Company shall at their own expense in all things provide and lay in lieu thereof and ready for use good and sufficient mains pipes plugs and other works proper and sufficient for continuing the supply of gas as sufficiently and satisfactorily as the same was supplied by the mains or pipes proposed to be removed or displaced and all such mains pipes and other

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works shall be laid and done under the superintendence and control and to the reasonable satisfaction of the Liverpool Gas Company's engineer and in such places position and manner in all respects as he shall require and approve and all such substituted mains pipes and other works shall belong to and be and become the absolute property of the Liverpool Gas Company and the engineer and other officers servants and workmen of the Liverpool Gas Company shall at all times have and be entitled to free access to such of the said mains pipes and other works as may be on the premises of the Company for the purpose of examining repairing altering or removing the same or for any other lawful purpose:

2. The Company shall make good all damage which may be done to any mains pipes works or other property of the Liverpool Gas Company and shall save them harmless from all expenses loss or damage to be occasioned by or by reason of the works authorised by this Act and shall make full compensation to the Liverpool Gas Company and to all other persons for any loss or damage which they respectively may sustain by reason of any interference with or disturbance of the said mains pipes or other works or with the private service pipes of any person or persons supplied with gas by the Liverpool Gas Company:

3. The Company shall not remove or interfere with any main pipe or other work of the Liverpool Gas Company until they shall have given to the last-mentioned Company's engineer fourteen days' previous notice in writing of their intention so to do specifying all necessary particulars relating thereto nor until the Liverpool Gas Company shall have signified their approval of the same unless they do not signify such approval or their disapproval or other directions within fourteen days after service of the said notice and particulars and the Company shall comply with and conform to all reasonable requirements directions and regulations of the Liverpool Gas Company in the execution of the said works and shall provide in such manner as the Liverpool Gas Company shall reasonably require for the protection of and prevention of injury or impediment to the mains pipes and other works of the Liverpool Gas Company.

For protection of sewers in metropolis.

24. Where any of the intended works to be done under or by virtue of this Act shall or may pass over under or by the side of or so as to interfere with any sewer drain watercourse defence or work under the jurisdiction or control of the Metropolitan Board

of Works or of any vestry or district board of works constituted under the Metropolis Management Act 1855 or any Act or Acts amending the same or extending the powers thereof or with any sewers or works to be made or executed by the said boards or vestries or any of them or shall or may in any way affect the sewerage or drainage of the districts under their or either of their control the Company shall not commence such works until they shall have given to the said Metropolitan Board or to the district board or vestry as the case may be twenty-one days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of such board or vestry as the case may be for the time being with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until such board or vestry respectively shall have signified their approval of the same unless such board or vestry as the case may be do not signify their approval disapproval or other directions within twenty-one days after service of the said plan section and particulars as aforesaid and the Company shall comply with and conform to all orders directions and regulations of the said Metropolitan Board and of the respective district board or vestry as the case may be in the execution of the said works and shall provide by new altered or substituted works in such manner as such boards or vestries respectively shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by reason of the said intended works or any part thereof and shall save harmless the said boards and vestries respectively against all and every the expense to be occasioned thereby and all such works shall be done by or under the direction superintendence and control of the engineer or other officer or officers of the said Metropolitan Board district board or vestry as the case may be at the costs charges and expenses in all respects of the Company and all reasonable costs charges and expenses which the said Metropolitan Board or any district board or vestry may be put to by reason of such works of the Company whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to such board or vestry by the Company on demand and when any new altered or substituted works as aforesaid or any works or defence connected therewith shall be completed by or at the costs charges or expenses of the Company under the provisions of this Act the same shall thereafter be as fully and completely under the direction jurisdiction and control of the said Metropolitan Board district board or vestry as the case may be

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18 & 19 Vict. c. 120.

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respectively as any sewers or works now or hereafter may be And nothing in this Act shall extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the said respective boards or vestries or any or either of them or of their successors but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed.

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

25. And whereas in the exercise by the Company of the powers of this Act it may happen that portions only of the lands buildings or manufactories shown on the deposited plans will be sufficient for the purposes of the Company 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 persons interested in the lands buildings or manufactories numbered on the deposited plans relating to the widening of the Company's Liverpool and Manchester Railway 25 30 37 39 and 39A. in the parish of Liverpool and numbered on the deposited plans relating to additional lands at Liverpool 109 in the same parish and whereof parts only are required for the purposes of the Company may (if such portions can in the judgment of the jury arbitrator or other authority assessing or determining the compensation under that Act be severed from the remainder of the said 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 required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise or that may arise to the remainder of the premises in consequence of portions thereof being taken Provided that the provisions of this section shall not apply to the above-mentioned property numbered 109 in the parish of Liverpool in the event of the Company requiring to take more of that property than thirty-five square yards at the north-east corner thereof.

Power to Company to acquire easement through certain property.

26. And whereas the widening of the Company's Liverpool and Manchester Railway is intended to be constructed through or under the property numbered on the deposited plans relating to that widening 24 in the parish of Liverpool in tunnelling at a depth of thirty feet and upwards below the surface of the ground Therefore the Company may purchase and acquire the easement or

right of constructing that widening through or under the said property without being obliged to purchase the surface of the land over such widening unless the jury or the arbitrators or their umpire to whom the question of disputed compensation shall be submitted shall determine that such right or easement cannot be acquired by the Company without material detriment to the remainder of that property Provided always that nothing in this section contained nor any dealing with the said property in pursuance thereof shall relieve the Company from the liability to compensation under section 68 of the Lands Clauses Consolidation Act 1845 in respect of any part of the said property through or under which the Company may in pursuance of the determination of such jury arbitrators or umpire purchase or acquire an easement or right of constructing the said widening.

Power to owners to grant easements to Company.

27. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 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 in over or affecting 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 easements rights and privileges as aforesaid respectively.

Notice to be given of taking houses of labouring classes by Company.

28. The Company shall not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have made known their intention to take the same in manner herein-before required.

Company to procure accommodation for persons of labouring classes to be displaced.

29. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of any house which the Company are by this Act authorised to acquire the Company shall (unless they and such person otherwise agree) procure sufficient accommodation elsewhere for such person Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice:

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The Company may for the purpose of providing such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase lands by agreement and may on any such lands erect labouring-class dwellings and may let or otherwise dispose of such lands and buildings.

Lands for extraordinary purposes of Company.

30. The quantity of land to be taken by the Company for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed eight acres.

Period for compulsory purchase of lands by Company.

31. The powers of the Company for the compulsory purchase of lands under the powers of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Power to deviate in construction of new roads &c.

32. The Company may in constructing the new roads streets and footpaths and alterations of roads and footpaths by this Act authorised to be constructed by them respectively deviate the same to the extent of the limits of deviation marked on the deposited plans relating thereto and may deviate from the levels shown on the deposited sections relating thereto to any extent not exceeding five feet but not so as to increase the rate of inclination as shown on those sections.

Provisions as to repair of new roads &c.

33. The new roads streets and footpaths and the alterations of roads streets and footpaths to be made under the authority of this Act (except the stone iron or other structure carrying any new road street or footpath or any alteration of any road street or footpath over any railway which structure shall be repaired and maintained by and at the expense of the Company) shall when made and completed from time to time be repaired and maintained by and at the expense of the same parties in the same manner and to the same extent as other roads streets and footpaths within the townships or parishes in which such new or altered roads streets and footpaths will be situate are from time to time liable to be repaired or maintained:

If any question shall arise between the Company and any of such parties as to the due completion of any such new or altered road street or footpath such question shall from time to time be determined by two justices on the application of either of the parties in difference and after not less than seven days' notice to both parties of the sitting of such justices for the purpose and the certificate of such justices of the due completion of such new or altered road street or footpath shall be conclusive evidence of the fact so certified.

Extinguishment of rights of way.

34. All rights of way over or along the several roads streets footpaths courts passages thoroughfares or highways or portions thereof which shall under the provisions of this Act be stopped up and discontinued and over any of the lands which shall be purchased or acquired under the compulsory powers of this Act shall be and the same are as from the stopping up purchase or acquisition thereof respectively by this Act extinguished.

Vesting in Company of site and soil of portions of roads &c. stopped up.

35. The site and soil of the several roads streets footpaths courts passages thoroughfares or highways 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) if the Company are or if and when under the powers of this Act or of any other Act relating to the Company already passed they become the owners of the lands on both sides thereof be from the time of the stopping up thereof respectively wholly and absolutely vested in the Company.

Power to Company to acquire portion of Bickershaw Railway.

36. The Company may by compulsion or agreement purchase or acquire and enter upon take and hold so much of the Bickershaw Railway in the township of Abram in the parish of Wigan in the county of Lancaster as lies between the junction with that railway of the branch of the Wigan Junctions Railway and the termination of the said Bickershaw Railway at the Leeds and Liverpool Canal at or near Plank Lane and as shown upon the deposited plans and described in the deposited books of reference relating thereto:

With respect to tolls rates and charges and for all other purposes whatever the portion of the Bickershaw Railway so acquired by the Company shall be part of the Company's undertaking and the Company may demand tolls rates and charges in respect thereof accordingly not exceeding the tolls rates and charges authorised by the Act (local and personal) ninth and tenth Victoria chapter two hundred and four entitled "An Act to consolidate the London "and Birmingham Grand Junction and Manchester and Birming-"ham Railway Companies" the London and North-western Railway (Additional Powers) Act 1872 the London and North-western Railway (New Lines and Additional Powers) Act 1876 and the London and North-western Railway (Joint and Various Powers) Act 1877 Provided always that nothing herein contained shall prejudice or affect any special provision contained in the London and North-western Railway (New Railways) Act 1881 with respect to rates or tolls for traffic to Stock's Works and to the Leeds and Liverpool Canal near Plank Lane.

44 & 45 Vict. c. cxli.

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For protection of Ackers Whitley and Company Limited.

37. With reference to the purchase and acquisition by the Company of so much of the Bickershaw Railway as lies between the junction with that railway of the branch of the Wigan Junctions Railway and the termination of the said Bickershaw Railway at the Leeds and Liverpool Canal the following provisions shall have effect and be observed for the protection of Ackers Whitley and Company Limited in this section referred to as the Coal Company that is to say—

1. The Company shall keep and maintain the said portion of the said Bickershaw Railway when purchased or acquired by them as a public railway for the conveyance of goods and minerals from and to the intended railway of the Company called the Westleigh Branch Extension No. 1 and the Leeds and Liverpool Canal:

2. The Coal Company shall be at liberty at all times hereafter with their own engines and wagons to run over and use the portion of the Bickershaw Colliery Railway intended to be purchased or acquired by the Company between the point where the railway or siding leading to the Bickershaw collieries joins the said portion of the Bickershaw Colliery Railway and Stock's Works and the Leeds and Liverpool Canal for the purpose of conveying the produce and traffic from their said Bickershaw collieries over the said portion of the Bickershaw Railway to the said works and the said canal and shall pay to the Company in respect of such traffic the sum of one penny per ton including the use by the Coal Company of the tips:

3. Nothing in this Act contained shall prejudice or affect the rights of the Coal Company under the provisions contained in the London and North-western Railway (New Railways) Act 1881 and the provisions contained in sub-section 1 of section 12 of the said Act of 1881 with respect to the Coal Company's reservoirs and water supply and the provisions contained in sub-section 7 of the same section of the said Act of 1881 with respect to a communication between the Bickershaw collieries and the branch of the Wigan Junctions Railway shall extend and apply to the purchase and acquisition by the Company of the said portion of the Bickershaw Railway authorised by this Act.

Extending time for sale of certain superfluous lands.

38. Notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company with which that Act is incorporated the periods within

which the Company may sell and dispose of any superfluous lands in the parish of Prescot in the county of Lancaster or connected with the Morecambe Bay Branch the railway from Euxton to Preston the Central Wales Railway the Llandudno and Bettws-y-Coed Branch and the Chester and Holyhead Railway respectively are hereby extended as regards such of the said lands as are situate near to or adjoining any railway or station of the Company 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.

Power to Company and Lancashire and Yorkshire Railway Company to make new railways.

39. Subject to the provisions of this Act the Company and the Lancashire and Yorkshire Railway Company or either of them with the consent of the other may make and maintain in the line and according to the levels shown on the deposited plans and sections relating thereto the railways herein-after described with all proper stations sidings approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference relating thereto as may be required for that purpose:

The railways lastly herein-before referred to and authorised by this Act are

(1.) The new junction at Bootle (one furlong one chain and thirty-five links in length) to be wholly situate in the township of Bootle-cum-Linacre in the parish of Walton-on-the Hill in the county of Lancaster commencing by a junction with the Company's Bootle Extension Railway and terminating by a junction with the Lancashire and Yorkshire Railway Company's Liverpool and Southport Railway:

(2.) The Huddersfield second tunnel (four furlongs four chains and forty links in length) to be wholly situate in the township and parish of Huddersfield in the West Riding of the county of York commencing by a junction with the Lancashire and Yorkshire Railway and terminating by a junction with the Company's Huddersfield and Manchester Railway.

Tolls &c. on new railways of Company and Lancashire and Yorkshire Railway Company.

40. With respect to tolls and charges and for all other purposes whatever the new junction at Bootle shall be part of the respective undertakings of the Company and the Lancashire and Yorkshire Railway Company and the Huddersfield second tunnel shall be part of the joint undertaking at Huddersfield of those two Companies: and the Company may demand in respect thereof tolls rates and charges not exceeding the tolls rates and charges authorised by the Act (local and personal) ninth and tenth Victoria

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chapter two hundred and four entitled "An Act to consolidate "the London and Birmingham Grand Junction and Manchester "and Birmingham Railway Companies" the London and North-western Railway (Additional Powers) Act 1872 the London and North-western Railway (New Lines and Additional Powers) Act 1876 and the London and North-western Railway (Joint and Various Powers) Act 1877: and the Lancashire and Yorkshire Railway Company may demand in respect thereof tolls rates and charges not exceeding the tolls rates and charges which they are authorised to demand in respect of the Lancashire and Yorkshire Railway.

Amendment of Company's Act of 1881 with respect to construction of Springwood second tunnel.

41. Section 16 of the London and North-western Railway (New Railways) Act 1881 (for protection of Sir John William Ramsden Baronet) shall be read and construed as if the word "south" had been used in that section instead of the word "north."

For protection of Sir John William Ramsden Baronet.

42. Before the Company and the Lancashire and Yorkshire Railway Company or either of them sell any lands which they may purchase or acquire from Sir John William Ramsden Baronet or the owner or owners for the time being of the Ramsden Huddersfield estates under the powers of this Act for the purposes of the Huddersfield second tunnel or the works connected therewith and which may not be required for such purposes they shall first offer to sell the said lands to Sir John William Ramsden Baronet or such owner or owners as aforesaid at a price to be determined (if not agreed upon) by arbitration in manner provided by the Lands Clauses Consolidation Act 1845 Provided always that if for three months after the said offer shall have been made Sir John William Ramsden Baronet or such owner or owners as aforesaid shall refuse or neglect to accept the same the Company and the Lancashire and Yorkshire Railway Company shall be at liberty to sell and dispose of the said lands in such manner at such times and for such sum as they may think fit Provided also that so long as the Company or the Lancashire and Yorkshire Railway Company retain the ownership or possession of the said lands they shall not use or permit the same to be used for any noxious trade or calling.

For protection of Corporation of Huddersfield.

43. For the protection of the mayor aldermen and burgesses of the borough of Huddersfield (in this section referred to as the Corporation) the following provision shall have effect unless otherwise agreed on between the Companies and the Corporation that is to say:

1. In this section "the Companies" means the Company and the Lancashire and Yorkshire Railway Company:

2. Whenever in the construction of the tunnel and works by this Act authorised or by reason of the exercise of the powers thereby conferred it is found necessary to divert alter or interfere temporarily or otherwise with any gas or water mains tramways sewers drains or lamp posts belonging to the Corporation every such diversion alteration or interference and all works connected therewith or incident thereto shall be executed by the Corporation according to such plans and in such manner as may be reasonably prescribed or approved by them but at the sole expense in all things of the Companies :

3. If by reason of the execution of any of the powers of the Act any increased length of main pipes sewers or drains shall become necessary the same shall be provided and laid down by the Corporation at the cost of the Companies according to such plan and in such manner as may be reasonably approved of by the Corporation :

4. Whenever by the appropriation or destruction of property under the powers of this Act any mains or pipes drains or sewers belonging to the Corporation laid for the supply of or in connexion with such property shall be rendered useless or unnecessary the Companies shall pay the Corporation the cost of laying an equivalent length of mains or pipes drains or sewers and such cost shall be estimated by the borough surveyor and the mains or pipes and materials of drains and sewers so rendered unnecessary shall be the property of the Companies :

5. If any interruption whatsoever in the supply of water or gas by the Corporation shall be in any way occasioned by the Companies or by the acts of any of their or of their respective contractors agents workmen or servants or any person in the employ of them or any or either of them the Companies shall pay and make compensation to the Corporation for all expenses loss or damage which they may be put to or sustain through loss of water or gas or interference with the Corporation in the performance of their obligations as to water or gas and indemnify them against all damages penalties and costs which may arise from any such interruption of supply :

6. In all cases where any street or road is diverted crossed or interfered with by the Companies they shall cause as little interference as is practicable with the traffic of such street and shall in each such street (excepting Upper Head Road

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which may be temporarily stopped so far as the frontage of the Companies' property extends in that street) provide and keep clear a sufficient space to admit of access to the houses and other places therein and of the passage there along of foot passengers And the Companies shall provide and keep clear a sufficient space (not exceeding thirty feet in width) to admit of the passage of—

Two lines of carriage or tramway traffic along such portions of Westgate West Parade and New North Road as lie within the limits of deviation such passage to be provided for by a temporary bridge at such point within the said limits as the Companies and the Corporation shall agree on and—

One line of carriage traffic along every other such street or road;

And if at any time the Companies fail to provide and keep clear such spaces respectively the Corporation may at the expense in all respects of the Companies provide and keep clear the same respectively;

Such of the tramways of the Corporation as are situate in the said before-named streets shall be temporarily diverted over the said temporary bridge and shall upon the completion of the works be replaced to the reasonable satisfaction of the Corporation:

7. The Companies shall effectually screen off the parts of each street which shall be stopped up or interfered with to the reasonable satisfaction of the Corporation by means of temporary hoarding of such height and character as the Corporation may reasonably approve and the Companies shall not affix or permit to be affixed thereon any bills placards or advertisements without the previous consent of the Corporation under the hand of the town clerk:

8. Where by reason of the execution of any of the powers of this Act the surface of any street or portion of a street shall have been broken up or interfered with such street or portion of a street or the street substituted therefor under the powers of the Act as the case may be and so much of the surface of any other street adjoining such street as it shall be rendered necessary to alter by reason of such breaking up or interference shall be restored and relaid by the Corporation at the expense of the Companies with setts flagging and edging of such quality and dimensions as the borough surveyor may reasonably approve and shall thereafter be

maintained and kept in efficient repair for twelve months to the reasonable satisfaction of the borough surveyor by or at the expense of the Companies and all such setts flagging edging and other road materials as shall have been taken up from streets which have been broken up or interfered with as aforesaid and which shall not have been relaid shall belong to the Companies and may be taken by them accordingly:

9. The portion of railway extending from the Huddersfield station to George Street shall if executed in the first instance in open cutting from the surface be completed as tunnel and the ground over the same shall be levelled up and reformed into street or open planted space or pleasure ground as at present and all fences palisades and gates shall be made good and the planted space shall be replanted as at present and the public urinal on the said ground if required to be removed shall be removed temporarily to such position as the Corporation may indicate and provide and shall be replaced on the completion of the said portion of railway and all works done in pursuance of this sub-section shall be executed by and at the expense of the Companies to the reasonable satisfaction of the Corporation and the Companies shall for the period of two years from and after such completion level up and make good to the like satisfaction any subsidence which may take place in the said open planted space or pleasure ground:

10. The Companies shall construct a shaft to ventilate the said tunnel and to allow of the escape of smoke and steam therefrom and such shaft shall be carried to a height of not less than seventy-five feet from the surface of the ground at the centre of the site whereon the same shall be constructed:

11. All moneys payable to the Corporation under the provisions of this section shall be payable within one month after demand thereof in writing by the Corporation and in default thereof may be recovered by the Corporation from the Companies with full costs of suit in any court of competent jurisdiction:

12. If the Company think fit to construct the "Springwood Second Tunnel" authorised by the London and North-western Railway (New Railways) Act 1881 on the southern side instead of on the northern side of the existing tunnel the provisions of section 15 of that Act with reference to such construction shall extend and apply thereto except that in sub-section 7 of that section the words "southern" and

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"northern" shall respectively be read as "northern" and "southern":

13. If any difference arise between the Companies and the Corporation with regard to anything to be done or not to be done or any moneys to be paid by the Companies to the Corporation such difference shall be settled by arbitration in manner provided by the Railway Companies' Arbitration Act 1859 as if the Corporation were a railway company.

22 & 23 Vict. c. 59.

Owners may be required to sell to Company and Lancashire and Yorkshire Railway Company parts only of certain lands and buildings.

44. And whereas in the exercise by the Company and the Lancashire and Yorkshire Railway Company or one of them of the powers of this Act with reference to the Huddersfield Second Tunnel it may happen that portions only of the lands buildings or manufactories shown on the deposited plans will be sufficient for the purposes of the said companies 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 persons interested in the lands buildings or manufactories numbered on the deposited plans 21 and 98 in the parish of Huddersfield and whereof parts only are required for the purposes of the said companies may (if such portions can in the judgment of the jury arbitrator or other authority assessing or determining the compensation under that Act be severed from the remainder of the said properties without material detriment thereto) be required to sell and convey to the said companies or one of them the portions only of the premises so required without the said companies or either of them being obliged or compellable to purchase the whole or any greater portion thereof the said companies or one of them paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise or that may arise to the remainder of the premises in consequence of portions thereof being taken.

Power to owners to grant easements to Company and Lancashire and Yorkshire Railway Company.

45. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company and the Lancashire and Yorkshire Railway Company or either of them any easement right or privilege (not being an easement of water) required for the purposes of this Act to be executed by them in over or affecting 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 easements rights and privileges as aforesaid respectively. A.D. 1882.

Notice to be given by Company and Lancashire and Yorkshire Railway Company of taking houses of labouring classes.

46. The Company and the Lancashire and Yorkshire Railway Company or one of them shall not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the said companies shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have made known their intention to take the same in manner herein-before required.

Accommodation for such persons to be procured by Company and Lancashire and Yorkshire Railway Company.

47. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of any house which the Company and the Lancashire and Yorkshire Railway Company or either of them are by this Act authorised to acquire the said companies shall (unless they and such person otherwise agree) procure sufficient accommodation elsewhere for such person Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice And the said companies may for the purpose of providing such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase lands by agreement and may on any such lands erect labouring-class dwellings and may let or otherwise dispose of such lands and buildings.

Lands for extraordinary purposes of Company and Lancashire and Yorkshire Railway Company.

48. The quantity of land to be taken by the Company and the Lancashire and Yorkshire Railway Company or either of them for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 in connexion with the new railway at Bootle and the Huddersfield Second Tunnel shall not exceed one acre.

Period for compulsory purchase of lands by Company and Lancashire and Yorkshire Railway Company.

49. The powers of the Company and the Lancashire and Yorkshire Railway Company for the compulsory purchase of lands for the purposes of the new junction at Bootle and the Huddersfield Second Tunnel respectively shall not be exercised after the expiration of three years from the passing of this Act.

Period for completion of railways by Company and Lancashire and

50. If the new junction at Bootle and the Huddersfield Second Tunnel respectively 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 same or other-

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wise in relation thereto shall cease to be exercised except as to so much thereof respectively as is then completed.

Imposing penalty unless railways opened by Company and Lancashire and Yorkshire Railway Company.

51. If the Company and the Lancashire and Yorkshire Railway Company fail within the period limited by this Act to complete the new junction at Bootle and the Huddersfield Second Tunnel respectively the said companies shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the uncompleted railway is completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of that railway:

The said penalty may be applied for by any landowner or other person claiming to be compensated in respect of the railway in accordance with the provisions of the next following section of this Act or by the Solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854:

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 and with the privity of Her Majesty's Paymaster General on behalf of the Chancery Division of the High Court of Justice in the bank and to the credit named 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 said companies respectively were prevented from completing or opening the railways by unforeseen accident or circumstances beyond their control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty for non-completion of railways by Company and Lancashire and Yorkshire Railway Company.

52. 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 may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the said two railways or either of them or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers conferred upon the Company and the Lancashire and Yorkshire Railway Company by this Act of taking property for the purposes of those railways and for which injury or loss no compensation or inadequate compensa-

tion shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice may seem fit:

If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have 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 either be forfeited to Her Majesty and accordingly be paid to or for the account of Her Majesty's Exchequer in such manner as the said Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the said Chancery Division if the Company or the Lancashire and Yorkshire Railway Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid to such receiver or to the liquidator or liquidators of the insolvent company or be otherwise applied as part of the assets of that company for the benefit of the creditors thereof.

Power to Company and Great Western Railway Company to make West Kirby Extension Railways &c.

53. Subject to the provisions of this Act the Company and the Great Western Railway Company or either of them with the consent of the other may make and maintain in the line and according to the levels shown on the deposited plans and sections relating thereto the railways herein-after described with all proper stations sidings approaches works and conveniences connected therewith and may execute the other works and exercise the other powers herein-after expressed and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference relating thereto as may be required for those purposes:

The railways lastly herein-before referred to and authorised by this Act are:

The West Kirby Extensions viz.:

No. 1 (five miles one chain and sixty-five links in length) commencing in the township of Great Neston in the parish of Neston in the county of Chester by a junction with the Hooton and Parkgate Railway of the said companies and terminating in the township of Thurstaston in the parish of Thurstaston in the same county;

No. 2 (two miles four furlongs six chains and sixty links in length) commencing in the said township and parish of Thurstaston by a junction with Railway No. 1 at its termi-

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nation and terminating in the township of Little Meolse in the parish of West Kirby in the county of Chester by a junction with the Seacombe Hoylake and Dee Side Railway;

They may in the township of Tranmere in the parish of Bebington in the county of Chester

Widen to the extent of forty-two feet on the western side thereof the bridge which now carries their Birkenhead Railway over Chamberlain Street and to the extent of fifty-six feet on the same side thereof the bridge which now carries the same railway over Green Lane:

They may in the township and extra-parochial chapelry of Birkenhead in the county of Chester

(1.) Widen to the extent of thirty feet on the eastern side thereof the bridge which now carries the said railway over Blackpool Street;

(2.) Acquire by compulsion or agreement and hold lands for the purposes of the said works and also for purposes connected with their Birkenhead Railway certain lands in the township and extra-parochial chapelry of Birkenhead in the county of Chester lying on both sides of and adjoining Rendel Street and between and adjoining Marcus Street Freeman Street and Corporation Road.

Tolls on West Kirby Extensions. 15 & 16 Vict. c. clxvii.

54. With respect to tolls and charges and for all other purposes whatever the West Kirby Extensions shall be part of the undertaking of the Birkenhead Railway as defined by the Birkenhead Lancashire and Cheshire Junction Railway Act 1852 and the Company and the Great Western Railway Company may respectively demand in respect thereof accordingly tolls rates and charges not exceeding the tolls rates and charges authorised by the said Act.

Inclinations of certain roads on West Kirby Extensions.

55. In altering for the purposes of the West Kirby Extensions the roads next herein-after mentioned the Company and the Great Western Railway Company or either of them may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively (that is to say):

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
12	Heswall - -	Public road - -	1 in 15 on one side and level on the other.
140	West Kirby - -	Ditto - -	1 in 15.

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Provisions as to a certain road in Neston.

56. In altering for the purposes of carrying the West Kirby Extensions over the public road numbered on the deposited plans 4 in the parish of Neston the Company and the Great Western Railway Company or either of them shall not make the same when altered of any inclination steeper than one in thirty and the said companies or one of them shall make the bridge for carrying the railway over the said road of a span of not less than thirty-six feet and of a clear height throughout of not less than fifteen feet.

For protection of Wirral Rural Sanitary Authority.

57. Before the Company and the Great Western Railway Company or either of them interfere under the powers of this Act with any existing sewers or drains the property of the Wirral Rural Sanitary Authority they shall to the reasonable satisfaction of such authority and in accordance with plans and sections to be submitted to and to be reasonably approved by them construct sufficient substituted sewers or drains and connect the same with the sewers or drains so to be interfered with.

For protection of Corporation of Birkenhead.

58. In the construction within the borough of Birkenhead of the works by this Act authorised to be constructed by the London and North-western Railway Company and the Great Western Railway Company or either of them in this section called "the Companies" the following provisions shall apply and have effect unless otherwise agreed on between the mayor aldermen and burgesses of the borough of Birkenhead (in this section called "the Corporation") and the Companies:

1. Notwithstanding anything contained in this Act the Companies shall not widen the bridge now carrying the Birkenhead Railway over Chamberlain Street to a greater additional extent than forty-two feet or the bridge now carrying that railway over Green Lane to a greater additional average extent than fifty-six feet or the bridge now carrying that railway over Blackpool Street or Waterloo Place to a greater additional extent than thirty feet:
2. The widening of the bridges aforesaid shall be constructed by means of wrought-iron girders so as to leave the entire span clear from pier to pier for a carriageway and footway underneath for the whole width or length of the widening with a clear headway in each case equal to that of the existing bridge The widening of the said bridges shall as far as practicable be made watertight and shall be kept in good repair by the Companies:
3. The parapets of the bridges over Blackpool Street and Chamberlain Street when widened shall be not less than seven feet in height above the level of the rails so as to screen the

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railway and the parapets of the bridge over Green Lane when widened shall be not less than seven feet in height above the rails and the Companies shall erect and maintain a screen for a distance of seventy-five yards along their railway from the south side of the said bridge over Green Lane:

4. The Companies shall at their own expense provide and fix to the reasonable satisfaction of the Corporation a sufficient number of lamps under each of the said bridges and shall keep the same properly and efficiently lighted with gas as regards the bridge over Blackpool Street day and night and as regards the bridges over Chamberlain Street and Green Lane every night from sunset to sunrise:

5. The Companies shall not alter or interfere with the present levels or gradients of Green Lane or Old Chester Road:

6. The Companies shall to the reasonable satisfaction of the surveyor or engineer to the Corporation flag the footways under the said bridges when required to do so by the Corporation:

7. The Companies shall not during the widening of the said bridges stop up or interfere with more than half the width of the streets under the same respectively at the same time:

8. Whenever in the execution of the said works it shall be necessary to alter interfere with or disturb any existing or to make any new sewers drains or gullies such alteration disturbance or interference shall be executed and such new sewers drains and gullies shall be made by the Corporation and the reasonable cost thereof may be recovered by them from the Companies in any court of competent jurisdiction:

9. The provisions contained in sections 18 to 23 inclusive of the Railways Clauses Consolidation Act 1845 shall apply to the water and gas mains and pipes of the Corporation and wherever in those 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:

10. Before interfering with obstructing or breaking up any sewer or drain or removing any water or gas main or pipe the Companies shall give to the Corporation seven days' previous notice in writing and the work shall be done under the direction and to the reasonable satisfaction of the said surveyor or engineer:

11. Where the surface of any street road passage or place or of the footway thereof has been interfered with or disturbed by the Companies in constructing the works or performing the operations by this Act authorised the Companies shall well and sufficiently and to the reasonable satisfaction of the Corporation or their surveyor or engineer restore the surface so interfered with or disturbed and shall to the like satisfaction maintain in efficient repair the said surface for twelve months:

12. During the widening of the said bridges the Companies shall provide accommodation for the traffic with proper fences and lights to the satisfaction of the said surveyor or engineer and shall to the like satisfaction maintain such accommodation and access fences and lights until the completion of such widening:

13. Wherever the water or gas mains or pipes of the Corporation shall be severed or interfered with by the works authorised by this Act and wherever it is necessary for maintaining the supply of water or gas to lay new or additional water or gas mains or pipes or to lower the same such additional or new water or gas mains or pipes shall previous to the severance or interference be laid relaid or laid at a lower level by the Corporation at the expense of the Companies:

14. Any dispute or difference arising under this section between the Companies and the Corporation shall be determined by arbitration in manner provided by the Railway Companies Arbitration Act 1859 and for the purposes of any such arbitration the Corporation shall be deemed a Railway Company.

Power to owners to grant easements to Company and Great Western Railway Company.

59. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company and the Great Western Railway Company or either of them any easement right or privilege (not being an easement of water) required for the purposes of this Act to be executed by them in over or affecting 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 easements rights and privileges as aforesaid respectively.

Lands for extraordinary purposes of West Kirby Extensions.

60. The quantity of land to be taken by the Company and the Great Western Railway Company or either of them for the ex-

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traordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 in connexion with the West Kirby Extensions shall not exceed eight acres.

Period for compulsory purchase of lands for West Kirby Extensions.

61. The powers of the Company and the Great Western Railway Company for the compulsory purchase of lands for the purposes of this Act to be executed by them shall not be exercised after the expiration of three years from the passing of this Act.

Period for completion of West Kirby Extensions.

62. If the West Kirby Extensions 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 those railways or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Imposing penalty unless West Kirby Extensions opened.

63. If the Company and the Great Western Railway Company fail within the period limited by this Act to complete the West Kirby Extensions those Companies shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until those railways are completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of those railways:

The said penalty may be applied for by any landowner or other person claiming to be compensated in respect of the said railways in accordance with the provisions of the next following section of this Act or by the Solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854:

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 and with the privity of Her Majesty's Paymaster-General on behalf of the Chancery Division of the High Court of Justice in the bank and to the credit named in such warrant or order and shall not be paid thereout except as hereinafter 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 and the Great Western Railway Company were prevented from completing or opening the said railways by unforeseen accident or circumstances beyond their control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

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Application of penalty for non-completion of West Kirby Extensions.

64. 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 may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the said railways or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers conferred upon the Company and the Great Western Railway Company by this Act of taking property for the purposes of the said railways and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice may seem fit:

If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have 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 either be forfeited to Her Majesty and accordingly be paid to or for the account of Her Majesty's Exchequer in such manner as the said Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the said Chancery Division or if either of the Companies is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Tolls for passengers on Carnarvonshire Railway.
25 & 26 Vict. c. ccii.

65. So much of section 35 of the Carnarvonshire Railway Act 1862 as relates to the rates tolls and duties by that Act authorised to be levied and demanded in respect of passengers and so much of section 39 of the same Act as relates to the maximum rate of charge by that Act authorised in respect of passengers conveyed in a first-class carriage are hereby repealed and in lieu thereof the following provisions shall have effect:

In respect of passengers conveyed in carriages on the railway by the said Act authorised the Company may levy and demand for any person conveyed in or upon any such carriage per mile not exceeding threepence and if conveyed in or upon any carriage

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belonging to the Company an additional sum per mile not exceeding one penny:

The maximum rate of charge to be made by the Company for the conveyance of passengers upon the said railway in a first-class carriage including the tolls for the use of the railway and of carriages and for locomotive power and for every other expense incidental to such conveyance shall not exceed for every such passenger the sum of threepence per mile.

Classification Table to be open to inspection and copies to be sold and terminal charges (if any) to be specified on application.

66. The book tables or other document in use for the time being containing the general classification of goods carried by goods or merchandise train on the railways of the Company shall during all reasonable hours be open to the inspection of any person without the payment of any fee at every station at which goods or merchandise are received for transmission and such book tables or other document as annually revised shall be kept on sale at the principal office of the Company at a price not exceeding one shilling:

The Company shall within one week after application in writing made to the secretary of the Company by any person interested in the carriage of any goods which have been or are intended to be carried over the railway render an account to the person so applying in which the charge made or claimed by the Company for the carriage of such goods shall be divided and the charge for conveyance over the railway shall be distinguished from the terminal charges (if any) and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified:

If the Company fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be liable to a penalty not exceeding five pounds which penalty shall be recovered and applied in the same manner as penalties imposed by section 14 of the Regulation of Railways Act 1873.

36 & 37 Vict. c. 48.

As to sale of certain stock in Shropshire Union Railways and Canal Company.

67. The Company and the Shropshire Union Railways and Canal Company may at such time in such manner and for such price or consideration as they may think fit sell transfer or otherwise dispose of the stock in the last-named Company amounting to the sum of eight thousand and ninety-four pounds fifteen shillings and twopence (which stock is now registered in the books of that Company in the names of the Right Honourable Edward James Earl of Powis George Stanton Richard Moon and the Honourable William Lowther as the owners thereof) together with the dividends accrued or to accrue thereon at and up to the sale thereof representing

certain shares in the Birmingham and Liverpool Junction Canal Navigation and the dividends thereon and the said companies may enter into and carry into effect agreements with reference to the matters aforesaid and to the application of the money arising from such sale transfer or disposition or any part thereof.

Power to Company to appoint harbour master &c. for Holyhead Harbour.

68. For the purposes of their harbour at Holyhead the Company may from time to time nominate and appoint harbour masters dock masters and pier masters and may make and enforce the observance of byelaws with respect to the regulation and management of the said harbour and the vessels and persons resorting thereto and the conduct of the traffic thereat and therein but subject and without prejudice to the control and jurisdiction over the public quay reserved to the Queen's Harbour Master by subsection 5 of section 85 of the London and North-western Railway (New Lines and Additional Powers) Act 1876:

10 & 11 Vict. c. 27.

For the purposes aforesaid the provisions of the Harbours Docks and Piers Clauses Act 1847 with respect to the appointment of harbour masters dock masters and pier masters and their duties and with respect to the byelaws to be made by the undertakers are incorporated with and form part of this Act:

Provided always that no such byelaws shall be deemed to extend or apply to officers of Customs or to any vessel or boat belonging to or in the service of the Customs but such officers vessels and boats shall at all times have the free use of and access to the said harbour without interference and without payment of any charge or rate for so doing.

Power to Company to contribute to Provident Society.

69. The Company with the authority of three-fifths of the votes of their shareholders present in person or by proxy at a general meeting of the Company duly convened with express notice of the special object may authorise the directors from time to time and at such times and in such mode and proportions and upon and subject to such rules regulations and conditions and to such an amount as the directors think fit to contribute towards the funds of the London and North-western Railway Provident Society or any other similar society established or to be established for the benefit of persons in the service or employment of the Company or of the Company and any other company or companies or of the Dundalk Newry and Greenore Railway Company.

Powers to Company and Great Western Railway

70. The Company and the Great Western Railway Company may demise or lease for such number of years as they shall think expedient or may sell in perpetuity to any person or persons the right to build on or any rights or easements over the under-men-

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Company as to disposal of lands at Birkenhead.

tioned lands situate upon or over tunnels forming part of the Birkenhead Railway of the two companies upon such terms and subject to such exceptions reservations restrictions and other provisions as the two companies may from time to time think expedient and also in like manner may sell the rents to be reserved by any such demise or lease and the buildings and erections erected and set up in pursuance thereof and the reversion and inheritance of the premises therein comprised and such lands shall not be subject to the provisions of the Lands Clauses Consolidation Act 1845 relating to superfluous lands or the sale thereof and the lands or hereditaments so demised leased or sold shall not be deemed part of the undertaking of the Birkenhead Railway nor charged with the general mortgage debt or debenture stock chargeable upon that undertaking.

The lands above referred to are the following (that is to say) :—

The lands numbered on the deposited plans referred to in the Act 8 and 9 Vict. cap. 99 (known as the Chester and Birkenhead Extension Railway Act 1845) 9 to 20 both inclusive 23 24 and 25 in the extra-parochial chapelry or township of Birkenhead in the county of Chester :

34 & 35 Vict. c. clxxxiii.

The lands numbered on the deposited plans referred to in the Great Western Railway (Additional Powers) Act 1871 and relating to the Birkenhead New Line by that Act authorised 41 to 55 both inclusive 59 to 66 both inclusive and 110 to 119 both inclusive in the said township and extra-parochial chapelry of Birkenhead :

And the lands in the borough of Birkenhead lying between Ivy Street and Pilgrim Street and belonging or reputed to belong to the said two companies or one of them.

Power to Company and Lancashire and Yorkshire Railway Company to make agreements as to joint railways.

71. The Company and the Lancashire and Yorkshire Railway Company may from time to time make and carry into effect agreements with respect to the construction working use management and maintenance of the new junction at Bootle and the Huddersfield second tunnel by this Act authorised to be made by them and with respect to the purchase division and appropriation of land to be acquired for the purposes of or in connexion therewith and with respect to the payment and contribution to be made by each of the companies towards the costs charges and expenses incurred in effecting the purposes of this Act to be executed by them and with respect to the regulation management and transmission of traffic and otherwise with respect to any matter arising out of the purposes of this Act to be executed by them or in giving effect thereto.

Power to Company and Midland Railway Company to make agreements as to Rugby Station.

72. The Company and the Midland Railway Company may from time to time make and carry into effect agreements with respect to the division allotment exchange and appropriation between them of the Rugby Station and of the lands there from time to time belonging to them respectively and with respect to the joint or separate possession or use of such station and lands or of parts thereof and with respect to the use working management maintenance alteration and enlargement of the said station and the execution of works and the exercise of any powers possessed or enjoyed by them in respect or for the purposes thereof and with respect to the payment by and apportionment between them of the costs and expenses that may be incurred in respect of the matters aforesaid and may vary alter or determine any existing agreement between them with relation to any of the matters aforesaid.

Power to Company to raise additional money by creation of shares or stock.

73. The Company from time to time may raise for the purposes of this Act and for the general purposes of their undertaking by the creation and issue of shares or stock such capital as they shall think necessary not exceeding seven hundred thousand pounds exclusive of the capital which they are or may be authorised to raise by any other Act or Acts of Parliament and the Company may create and issue such shares or stock either wholly or partially as ordinary or wholly or partially as preferential shares or stock as they may think fit.

Shares not to be issued until one-fifth part thereof shall have been paid up.

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

Except as otherwise provided new capital to be subject to same incidents as ordinary capital.

75. The capital created by the Company under this Act and the shares or stock therein and the holders thereof respectively (except any capital and shares or stock therein to which a preferential dividend is attached and the holders of those shares and that stock respectively) shall be subject and entitled to the same powers provisions forfeitures liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing ordinary capital of the Company and those shares and that stock were shares and stock in that ordinary capital.

Dividends on new shares or stock.

76. Every person who becomes entitled to a share or any stock created by the Company under this Act shall in respect of the same be a holder of shares or stock in the Company and shall be entitled

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to a dividend either preferential or ordinary as the case may be with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or stock.

Votes and qualifications in respect of new shares or stock.

77. The holders of the shares or stock created under this Act shall have rights of voting and qualifications in respect thereof on the principle that each sum of one hundred pounds paid up in respect of the shares or stock held by any such holder shall be deemed equivalent to one original share of one hundred pounds in the capital of the Company as prescribed by their Act of Incorporation:

Provided that no person shall be entitled to vote in respect of any less amount than one hundred pounds paid up:

Provided also that (unless otherwise specified in any resolution of the Company) no person shall be entitled to vote in respect of any share or stock created or issued under this Act to which a preferential dividend shall be assigned.

New shares or stock raised under this Act and any other Acts of past or present sessions may be of same class.

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

Receipt clause in case of persons not sui juris.

79. If any money is payable to a holder of shares or stock in 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.

Power to borrow.

80. The Company may in respect of the additional capital of seven hundred thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage any sum not exceeding in the whole two hundred and thirty-three thousand pounds But no part thereof shall be borrowed until shares for so much of the said capital as is to be raised by means of shares are issued and accepted and one-half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such capital have

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been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share 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 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 if the said respective portion of capital is raised by shares that such persons or corporations or their executors administrators successors or assigns are legally liable for the same:

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.

For appointment of a receiver.

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

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

Company may create debenture stock.

82. 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

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by the Company and shall have priority over all principal moneys secured by such mortgages.

Existing mortgages to have priority.

83. All mortgages or bonds granted or to be granted under the authority of any former Act relating to the Company shall during the continuance thereof and subject to the provisions of the Acts under which such mortgages or bonds were respectively granted have priority over any mortgages granted by virtue of this Act:

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.

Application of moneys.

84. 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 the general purposes of the Company.

Power to apply corporate funds to purposes of Act.

85. The Company may apply to any of the purposes to which the moneys by this Act authorised to be raised are made applicable any of the moneys which they now have in their hands or which they have power to raise by shares stock debenture stock or mortgage by virtue of any Act relating to the Company and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Power to Lancashire and Yorkshire Railway Company to raise additional capital.

86. The Lancashire and Yorkshire Railway Company from time to time may for the purposes of this Act to be carried into effect by them raise by the creation and issue of shares or stock such sums of money as they shall think necessary not exceeding forty-five thousand pounds exclusive of the moneys which they are or may be authorised to raise by any other Act or Acts of Parliament and that company may create and issue such shares or stock either wholly or partly as ordinary or wholly or partly as preferential shares or stock as they may think fit and the clauses and provisions of the Companies Clauses Consolidation Act 1845 and of the Companies Clauses Act 1863 incorporated with this Act shall extend and apply to the Lancashire and Yorkshire Railway Company and to the additional capital which they are by this Act authorised to raise.

Shares of Lancashire and Yorkshire Railway Company not to be issued until one-fifth part thereof shall have been paid up.

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

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Qualifications of new shares or stock of Lancashire and Yorkshire Railway Company.

88. Except as by or under the powers of this Act otherwise provided the new shares or stock issued by the Lancashire and Yorkshire Railway Company under the powers of this Act shall in proportion to the aggregate amount thereof from time to time held by the same person at the same time entitle the respective holders thereof to the same dividends and profits and confer on them the like qualifications and the like right of voting as the like amount of existing ordinary shares or stock of that company.

Power to Lancashire and YorkshireRailway Company to raise capital under any other Act of this session and this Act by new shares or stock of one class.

89. Subject to the provisions of any Act already passed by which the Lancashire and Yorkshire Railway Company are authorised to raise capital by new shares or stock and to the provisions of this Act and any other Act passed in the present Session of Parliament whether before or after the passing of this Act by which that company may be authorised to raise capital by new shares or stock they may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new shares or stock.

Power to Lancashire and YorkshireRailway Company to borrow on mortgage.

90. The Lancashire and Yorkshire Railway Company may from time to time borrow on mortgage additional sums not exceeding in the whole fifteen thousand pounds in respect of the additional capital of forty-five thousand pounds which they are by this Act authorised to raise But no part of such sum of fifteen thousand pounds shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted and one-half thereof is paid up and the Lancashire and Yorkshire Railway Company have proved to the justice who is to certify under the 40th section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares or stock for the whole of such capital have been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one-half of so much of the said additional capital as is to be raised by means of stock is fully paid up and the Lancashire and Yorkshire Railway 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 suc-

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cessors 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 Lancashire and Yorkshire Railway 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.

Former mortgages and bonds of Lancashire and YorkshireRailway Company to have priority.

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

Power to Lancashire and YorkshireRailway Company to create debenture stock.

92. The Lancashire and Yorkshire Railway 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 that company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by that company and shall have priority over all principal moneys secured by such mortgages.

Receipt clause for Lancashire and Yorkshire Railway Company in case of persons not sui juris.

93. If any money is payable to a holder of shares or stock in the Lancashire and Yorkshire Railway Company being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to that company.

Application of moneys raised by Lancashire and YorkshireRailway Company.

94. All moneys raised by the Lancashire and Yorkshire Railway Company under this Act whether by shares stock debenture stock or borrowing shall be applied to the purposes of this Act to be executed by them and subject thereto to the general purposes of the undertaking of that company and to no other purpose.

Power to Lancashire and Yorkshire Railway Company to apply corporate funds.

95. The Lancashire and Yorkshire Railway Company may apply to the purposes of this Act to be executed by them any of the moneys which they now have in their hands or which they have power to raise by virtue of any Acts relating to that company and

which may not be required for the purposes to which they are by any such Acts made specially applicable.

Power to Great Western Railway Company to apply surplus funds to certain purposes of Act.

96. The Great Western Railway Company may from time to time apply to the purposes of this Act to be executed by them any moneys from time to time raised by them and which are not by any Act relating to them made applicable to any special purpose or which being so made applicable are not required for the special purpose.

Saving rights of the Crown in the foreshore.

97. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's Most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty her heirs or successors.

Interest not to be paid on calls paid up.

98. The Company and the Lancashire and Yorkshire Railway Company respectively shall not out of any money by this Act authorised to be raised pay interest or dividend 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 and the Lancashire and Yorkshire Railway Company respectively 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.

99. The Company and the Lancashire and Yorkshire Railway Company respectively shall not out of any moneys 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 either company to construct any other railway or to execute any other work or undertaking.

Provision as to general Railway Acts.

100. Nothing in this Act contained shall exempt the Company or the Lancashire and Yorkshire Railway Company or the Great

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Western Railway Company or their respective railways from the provisions of any general Act relating to railways or the better or 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 authorised to be taken by those companies respectively.

Costs of Act.

101. 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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