CHAPTER ccxxxiv.

An Act for conferring further powers upon the London and North Western Railway Company in relation to their own undertaking and other undertakings in which they are interested jointly with other companies and for other purposes. [12th August 1898.]

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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 railway and deviation and alteration and widenings of portions of their existing railways and to make the new and alter and stop up the existing roads and footpaths and 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 whereas plans and sections showing the respective lines and levels of the railway and other works by this Act authorised to be constructed 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 and riding 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:

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And whereas it is expedient that the periods limited by the London and North Western Railway Act 1890 as extended by the London and North Western Railway Act 1895 for the completion of the Ashbourne and Buxton Railway by that Act authorised and by the London and North Western Railway Act 1893 for the completion of the railway at Sheffield by that Act authorised should be extended:

And whereas it is expedient that the powers of the Company for the construction and completion of so much of the Heaton Lodge and Wortley Railways authorised by the London and North Western Railway (Heaton Lodge and Wortley Railways) Act 1892 as is herein-after described should be revived and continued and extended as provided by this Act:

And whereas it is expedient that further powers should be conferred upon the Company in respect of their own undertaking and upon the Portpatrick and Wigtownshire Joint Committee in respect of the Portpatrick and Wigtownshire Railways with respect to the sale or other disposal of lands acquired but which are not or eventually may not be required for the purposes of the said undertakings respectively:

And whereas it is expedient that the Company should be empowered to raise additional capital for the purposes of this Act and for the general purposes of their undertaking and to apply their funds to the purposes of this Act:

And whereas it is expedient that some of the powers and provisions of 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:

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):—

Short title.

1. This Act may be cited for all purposes as the London and North Western Railway Act 1898.

Incorporation of general Acts.

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):

The Lands Clauses Acts:

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

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:

And 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.

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 expressions "parish clerks" and "clerks of the several parishes" in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall as regards the administrative county of London mean the clerk of the vestry of the parish if the parish is mentioned in Schedule A. of the Metropolis Management Act 1855 the clerk of the district board if the parish or place is included in a district mentioned in Schedule B. of the last-mentioned Act and where any place is not included in any such parish or district as aforesaid shall mean the clerk of some adjoining parish or district board.

Power to Company to make railway &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 following new railway and deviation and alteration and widenings of the portions

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of existing railways herein-after described with all proper stations sidings roads 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 the purposes thereof or in connexion therewith :

The new railway and the deviation and alteration and widenings of railways herein-before referred to and authorised by this Act are—

(Railway at Shap.) A railway at Shap eight miles six furlongs eight chains and twenty links in length commencing in the parish of Tebay in the county of Westmorland by a junction with the Company's Lancaster and Carlisle Railway and terminating in the parish of Shap in the same county by a junction with the deviation of the Company's said Lancaster and Carlisle Railway herein-after described :

(Deviation at Shap.) A deviation and alteration four furlongs four chains and sixty links in length in the parish of Shap in the county of Westmorland of the Company's Lancaster and Carlisle Railway between a point ninety yards or thereabouts south of the bridge at the southern end of Shap Station and a point eight hundred and ninety yards or thereabouts north of the said bridge :

And the Company may abandon and discontinue the use of so much of the said Lancaster and Carlisle Railway as lies between the commencement and termination of the said intended deviation and may appropriate the site and soil thereof to the purposes of the Company's undertaking :

(Burton and Milnthorpe widening.) The widening two miles and five furlongs in length of the Company's Lancaster and Carlisle Railway between Burton and Holme and Milnthorpe Stations :

(Clifton widening.) The widening one mile one furlong one chain and eighty links in length in the parish of Clifton in the county of Westmorland of the Company's Lancaster and Carlisle Railway between Clifton and Lowther Station and the bridge over the said railway three hundred and fifty yards or thereabouts north-west of the Eden Valley Junction Clifton :

(London Road and Ardwick widenings Manchester.) Two widenings (to be called the London Road and Ardwick widenings) of the Company's Crewe and Manchester Railway (that is to say) :—

Widening No. 1 four furlongs three chains and thirty-three links in length of the said railway on the north-east side

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thereof between a point forty yards or thereabouts north-west of Travis Street Manchester and a point twenty yards or thereabouts south-east of the bridge carrying that railway over Chancery Lane;

Widening No. 2 one furlong eight chains and eighty-six links in length of the said railway on the south-west side thereof between a point opposite the junction of Tipping Street and Temperance Street Manchester and a point one hundred and sixty yards or thereabouts south-east of the said bridge carrying the said railway over Chancery Lane:

And in connexion with the said Widening No. 2 the Company may alter and divert so much of Temperance Street as lies between Tipping Street and Higher Ardwick.

Rates for new railway &c.

5. The new railway shall for all purposes whatever be part of the Company's undertaking and the deviation and alteration and widenings of the Company's Lancaster and Carlisle Railway shall for all purposes whatever be parts of that railway and for the use thereof and for the conveyance thereover of passengers and parcels by passenger train the Company may demand and take the tolls rates and charges authorised by the London and North Western Railway (Consolidation) Act 1846 and for the conveyance thereover of the merchandise (including perishable merchandise by passenger train) specified in the London and North Western Railway Company (Rates and Charges) Order Confirmation Act 1891 the Company may demand and take the rates and charges by that Act authorised in respect of the said Lancaster and Carlisle Railway:

The London Road and Ardwick widenings shall for all purposes whatever be part of the Company's Crewe and Manchester Railway and for the use thereof and for the conveyance thereover of passengers and parcels by passenger train the Company may demand and take the tolls rates and charges authorised by the London and North Western Railway (Consolidation) Act 1846 and for the conveyance thereover of the merchandise (including perishable merchandise by passenger train) specified in the London and North Western Railway Company (Rates and Charges) Order Confirmation Act 1891 the Company may demand and take the rates and charges by that Act authorised in respect of the railways not therein specially mentioned.

Inclination of roads.

6. In altering for the purposes of this Act the roads next herein-after mentioned the Company may make the same of any

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inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively (that is to say) :—

Number on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
		Railway at Shap.	
15	Tebay - - -	Public road -	1 in 8½ and 1 in 16
7	Orton - - -	Public road -	1 in 9 (road diversion)
			m. chs.
2	Crosby Ravensworth	Public road -	1 in 18 (at 3 48·50)
2	Crosby Ravensworth	Public road -	1 in 14 (at 4 5·70)
2	Crosby Ravensworth	Public road -	1 in 16 (at 4 19·00)

Height and span of bridges.

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

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
		Railway at Shap.	ft. in.	ft. in.
2	Tebay - - -	Public road - -	13 6	—
		Burton and Milnthorpe Widening.		
9	Holme - - -	Public road - -	12 0	15 0
		Clifton Widening.		
10	Clifton - - -	Public road - -	—	20 0

Widths of certain roadways.

8. The Company may make the roadway over the bridges by which the following roads will be carried over the railway of such width between the fences thereof as the Company think fit not being less than the respective widths herein-after mentioned in connexion therewith respectively (that is to say) :—

Number on deposited Plan.	Parish.	Description of Roadway.	Width of Roadway.
		Railway at Shap.	ft. in.
18	Crosby Ravensworth	Public road - -	15 0
		Clifton Widening.	
23	Clifton - - -	Public road - -	12 4

Power to divert roads as shown on deposited plans.

9. The Company may divert and alter in the manner shown upon the deposited plans and sections any roads delineated on the said plans and described in the deposited books of reference and when and as in each case the new portion of any road is made to the satisfaction of two justices and is open for public use may stop up and cause to be discontinued as a road so much of the existing road as will be rendered unnecessary by the new portion of road and when and so soon as each of the said roads is so stopped up all rights of way over the same shall cease and the Company may subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway appropriate and use for the purposes of their undertaking the site of the road stopped up as far as the same is bounded on both sides by lands of the Company.

Company not liable to repair surface of road level of which is not permanently altered.

10. Notwithstanding anything contained in section 46 of the Railways Clauses Consolidation Act 1845 the Company shall not be liable to maintain the surface of any road or public highway which shall be carried over the new railway deviation or widenings by this Act authorised or any of them by a bridge or bridges or the immediate approaches thereto except so far as the level of such road highway or approaches is permanently altered.

Limiting quantity of certain common lands to be acquired.

11. Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not purchase or take for the purposes of the railway at Shap more than one rood and five perches of the common or commonable lands known as Roundthwaite Common in the parish of Tebay nor more than fourteen acres and seventeen perches of the common or commonable lands known as Birkbeck Fells Common in the parish of Crosby Ravensworth.

Running powers and rights of Caledonian Railway Company extended.

12. The Caledonian Railway Company shall have and be entitled to the same powers rights facilities and privileges in respect of the new railway at Shap and the deviation and alteration in the parish of Shap of the Company's Lancaster and Carlisle Railway by this Act authorised as they now have or are entitled to in respect of the said Lancaster and Carlisle Railway.

For protection of Right Honourable James Lowther and others.

13. For the protection of the Right Honourable James Lowther (as surviving trustee of the will of the Right Honourable Henry Earl of Lonsdale deceased and of an indenture of settlement dated the eleventh day of November one thousand eight hundred and seventy-six made by the Right Honourable St. George Henry Earl of Lonsdale deceased) and his assigns and other the trustees or trustee for the time being of and under the said will and settlement respectively and the person or persons for the time being interested

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under the said will and settlement (all of whom are herein-after in this section called "the owner") the following provisions shall notwithstanding anything in this Act contained or shown on the deposited plans and sections have effect unless otherwise agreed on in writing between the owner and the Company (that is to say) :—

(1) In constructing the railway at Shap by this Act authorised the Company shall deviate the same to the eastward of the centre line as shown upon the deposited plans so that it shall cross under the public road from Kendal to Shap numbered on the deposited plans 48 in the parish of Shap at a depth of not less than eighteen feet below the present surface of that road and at a point upon that road between the properties numbered on the deposited plans 47 and 51 in the parish of Shap and without altering the present level of the said road and the said road shall be carried over the said railway by means of a bridge to be constructed and maintained at the expense of the Company :

(2) The Company shall also deviate the said railway to the westward of the centre line as shown upon the deposited plans where the same is intended to come out of tunnel in the property numbered on the deposited plans 38 in the parish of Shap so that the tunnel shall come out in the field numbered on the deposited plans 39 in the said parish and the centre of the mouth of the tunnel shall not be less than two and a half chains further westward than the centre line of the railway where it leaves the tunnel as shown upon the deposited plans :

(3) The Company shall construct and maintain on both sides of the bridge whereby the said road numbered on the deposited plans 48 in the parish of Shap is to be carried over the railway substantial parapets or close screens of such a height not exceeding seven feet as may be required by the owner and also in continuation of such parapets or close screens will construct fences or close screens of the height of not less than six feet at least extending for a distance of sixty-six yards north of such bridge on the west side of the proposed railway and for a distance of sixty-six yards south of such bridge on the east side of the proposed railway :

(4) The railway and works of the Company shall be so constructed and maintained as not to interfere with or cause any leakage percolation or loss of water or interruption of the present flow of water from or injury to the mineral springs of water which arise in the lands of the owner in the parish of Shap now let with the Shap Wells Hotel :

(5) If at any time in the construction maintenance alteration enlargement repair or renewal of the railway and works or any of them by this Act authorised or by reason or in consequence of the existence failure or want of repair thereof any interference with or any leakage percolation loss of water interruption of the flow of water from or injury to the said springs of water or any of them shall be occasioned the Company shall forthwith restore the said springs to the same state and condition as before the happening of such damage and remove the cause of such damage and in the Company's default it shall be lawful for the owner to do the same and to recover the expense of so doing from the Company Provided always that the Company shall be liable for any loss or damage occasioned to the owner his lessees or tenants in the meantime by such damage to the said springs and if it is found impracticable or incompatible with the maintenance of the railway and works to make good such damage to and to restore the said springs to their former condition and flow of water then the Company shall forthwith compensate the owner his lessees and tenants for such damage and for the results occasioned thereby to the property of the owner his lessees and tenants and such compensation in default of agreement shall be settled by arbitration in manner herein-after in this section provided:

(6) All differences arising between the Company and the owner respecting any of the matters referred to in this section shall be referred to and settled at the request of either party by an engineer or other fit person to be agreed on between the parties or in default of agreement by an engineer or other fit person to be appointed as arbitrator on the application of either party by the Board of Trade.

For protection of Westmorland County Council.

14. The provisions of the last preceding section of this Act (For protection of Right Honourable James Lowther and others) except the provisions contained in subsections (4) and (5) thereof shall enure for the benefit and protection of the Westmorland County Council as if those provisions had been set out in this section and the said council had been named or referred to therein instead of the owner.

For protection of Lancashire and Yorkshire Railway Company.

15. In carrying into effect any of the works by this Act authorised in connexion with the Company's Crewe and Manchester Railway affecting the Ardwick Branch Railway and works of the Lancashire and Yorkshire Railway Company (herein-after called " the Lancashire

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Company") the following provisions shall (unless otherwise agreed between the Company and the Lancashire Company) apply and be obligatory upon the Company :—

(1) Every alteration in or interference with the railway and works of the Lancashire Company and the existing junction of the said Ardwick Branch Railway with the said Crewe and Manchester Railway shall be made in accordance with plans sections and specifications to be previously submitted to and reasonably approved by the engineer of the Lancashire Company before the commencement of the works and shall be executed under his superintendence and to his reasonable satisfaction but in all respects at the expense of the Company and so that the junction shall be not less convenient than the existing junction :

Provided that if such engineer does not in writing approve or disapprove of or state his requirements in relation to the said plans sections and specifications within twenty-one days after their submission to him he shall be deemed to have approved thereof :

(2) The Company will bear and on demand pay to the Lancashire Company the expense of the employment by that company of a sufficient number of inspectors or watchmen to be appointed by them for watching their said railway with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident which may arise from any act or default of the Company or of any contractor of the Company or of any person employed by the Company or by such contractor :

(3) The Company or their contractor shall not nor shall any person employed by the Company or by such contractor obstruct impede or interfere with the free and uninterrupted and safe use of the railway or other works of the Lancashire Company or the conveyance or passage of traffic thereon :

(4) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the Lancashire Company all costs losses damages and expenses which may be occasioned to that company or to their railway works or property or to the traffic thereon or otherwise by reason of the execution or failure of the works of the Company or of any act or omission of the Company or of their contractor or of any persons in the employ of the Company or such contractor and the Company will effectually indemnify and hold harmless the Lancashire Company from all claims and demands upon or

against them by reason of such execution or failure and of any such act or omission :

(5) If any difference arise between the Company and the Lancashire Company touching this section or anything arising thereunder such difference shall be settled by an engineer to be agreed upon between the parties or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application in writing of either of the parties in difference.

For protection of corporation of Manchester.

16. The following provisions for the benefit and protection of the lord mayor aldermen and citizens of the city of Manchester (in this section called "the corporation") shall unless otherwise agreed in writing between the Company and the corporation be binding upon the Company and full effect shall be given thereto :—

(1) In this section—

"The plan" means a plan signed in duplicate by Francis Stevenson on behalf of the Company and T. de Courcy Meade on behalf of the corporation ;

"Street" has the same meaning as in the Public Health Act 1875 ;

"The city surveyor" means the surveyor of the city of Manchester ;

"City" means the city of Manchester ;

"The Widening No. 1" and "the Widening No. 2" mean the London Road and Ardwick Widenings No. 1 and No. 2 respectively by this Act authorised :

(2) The bridge to be constructed by the Company under the authority of this Act over Travis Street and Sheffield Street at and near their junction shall not exceed the width of fifty-five feet in accordance with the red line on the plan :

The new and existing bridges over Travis Street shall be lighted by day and by night by the corporation at the Company's cost :

The abutments and structure generally of the existing bridges over Travis Street shall be lime-whited and cleansed by the Company and maintained in a dry and drop-proof condition to the reasonable satisfaction of the corporation :

(3) The following provisions shall be applicable with respect to the Widening No. 1 (that is to say) :—

The line of the Widening No. 1 shall not extend in a north-easterly direction beyond the limit indicated by the red line on the plan and the Company shall in the next session

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of Parliament apply for powers to construct so much of the said Widening No. 1 as lies between the said red line and the limit of deviation on the north-easterly side of the widening between Fairfield Street and Union Street;

A ventilating opening shall be constructed in the Fairfield Street Bridge of a width of ten feet;

A ventilating opening shall be constructed in the Chapelfield Road Bridge of an average width of eight feet;

A ventilating opening shall be constructed in the New Hoyle Street Bridge of a width of ten feet;

The aforesaid openings in the Fairfield Street Chapelfield Road and New Hoyle Street Bridges shall be in the positions shown on the plan and of the full widths of the streets the brickwork of such openings shall be faced with white glazed bricks and the ironwork including parapets shall be painted white;

No openings shall be made in the abutments of the Company's bridges on either side of New Hoyle Street or Chapelfield Road;

No openings shall be made in the abutments of the existing or any future bridges in Fairfield Street:

(4) In connexion with the construction of the Widening No. 1 the Company shall at their own cost construct on land to be provided by the Company the following streets and works hatched red on the plan and the same shall be paved sewered flagged and completed by them at suitable levels to the satisfaction in all respects of the corporation (that is to say):—

(A) A new street twelve yards wide adjoining and on the north-easterly side of the Widening No. 1 from the junction of Walter Street and Scott Street to Fairfield Street in substitution for a portion of Walter Street;

(B) A new street to be called New Hoyle Street fifteen yards wide from a point in Temperance Street three yards or thereabouts measuring in an easterly direction along the north-easterly side of the last-mentioned street from the east side of Hoyle Street to a point in the proposed new street on the north-east of the Widening No. 1 distant twenty-seven yards or thereabouts from the east side of Hoyle Street at its junction with Fairfield Street also the widening of Hoyle Street on the south-westerly side

of Temperance Street in a line continuous with the south-easterly side of the proposed new street in substitution of a portion of Hoyle Street;

(c) The Company in altering and diverting Cross Street between the existing railway and the proposed new street from Fairfield Street to Chancery Lane in connexion with the Widening No. 1 shall make the diverted portion of the street of a minimum width of ten yards;

(d) The widening to twelve yards of Higher Sheffield Street between Chancery Lane and Birch Street:

The said new streets and works shall be completed and opened for public use before any portions of Walter Street and Hoyle Street respectively are stopped up or interfered with in any way by the Company:

(5)—(a) The Company shall give to the corporation for the formation of a new street from Fairfield Street to Chancery Lane so much of the residue of the properties to be acquired for the purpose of the widening of the line as is required for the intended new street such street to be of the uniform width of twelve yards and to follow the altered limit of widening from Fairfield Street to Union Street as shown by the green tint on the plan:

(b) The Company shall on the completion of the proposed new street from Fairfield Street to Chancery Lane pay to the corporation the sum of ten thousand pounds towards the cost of the construction of such new street:

(6) The following provisions shall be applicable with respect to the Widening No. 2 (that is to say):—

(a) The Company in altering and diverting Temperance Street between Tipping Street and Higher Ardwick shall make the diverted portion of the street of a minimum width of twelve yards;

(b) The Company shall remove the existing bridge over Chancery Lane and construct a new bridge over that thoroughfare having a carriageway forty-five feet in width and a footway on each side of twenty feet in width making a total clear width of eighty-five feet and the bridge shall be supported by columns placed on the outer side of the footways;

(c) Such bridge shall be of a minimum height throughout of sixteen feet measured from the surface of the street as altered to the underside of such bridge;

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(D) The Company in carrying out the works in connexion with the construction of the new bridge over Chancery Lane by this Act authorised shall make the necessary alterations of level of Chancery Lane in the manner hereinafter set forth (that is to say) The existing level of the street on the south side of the new bridge across Chancery Lane shall remain unaltered but the Company may lower the existing level of the street at the north side of the new bridge to such a depth not exceeding one foot as may be requisite to make the surface of the carriageway and footways under the new bridge of the same levels throughout and the carriageway of Chancery Lane on the north side of the said bridge shall be made of a uniform gradient not steeper than one in forty and the footways on each side of the street as altered shall be made to correspond;

(E) The existing urinal in Chancery Lane adjoining the Company's bridge shall be removed and a new urinal twenty feet by fifteen feet in the clear between the new abutments shall be constructed by the Company on the south side of the bridge where shown on the plan to the reasonable satisfaction of the Corporation;

(F) The short lengths of streets and passages covered by the Company's works and coloured purple on the plan may be stopped up and appropriated by them;

(G) No openings shall be made in the abutments of the Company's bridge on either side of Chancery Lane:

(7) Except as otherwise provided by this Act the Company shall not either temporarily or permanently stop up obstruct or interfere with any of the following streets except the portions of any such streets which are coloured purple on the plan (that is to say) Travis Street Sheffield Street Fairfield Street Hoyle Street Chapelfield Road Union Street Cross Street Chancery Lane Blind Lane or Temperance Street in the city and shall so conduct their works that the traffic in those streets shall not either as regards the running of tram cars or general traffic be interfered with:

(8) For the purpose of erecting the bridges across the said streets the Company shall be at liberty to place the supports for their staging in such places as may be reasonably approved by the city surveyor The bridges over the under-mentioned streets shall be of such description and in accorda ce with such plans and elevations as shall be reasonably approved by the

Corporation and of such dimensions headways spans and heights as herein-after set forth (that is to say) :—

—	Approximate Length of New Bridge.	Span.	Minimum Height.
Travis Street north of Sheffield Street.	55 feet	42 feet	16 feet.
Travis Street south of Sheffield Street.	20 feet	42 feet	17 feet 9 inches.
Fairfield Street - - -	280 feet including 10 feet opening.	50 feet	20 feet.
Hoyle Street - - - -	167 feet including 10 feet opening.	45 feet	The arch to be 19 feet at the springing.
Chapelfield Road - - -	141 feet including 8 feet opening.	37 feet	20 feet.
Union Street - - -	40 feet	36 feet	20 feet.
Cross Street - - - -	32 feet	30 feet	15 feet 2 inches.
Chancery Lane - - -	110 feet	85 feet	16 feet.
Blind Lane - - -	40 feet	20 feet	15 feet.

(9) In all cases where streets in the city are temporarily interfered with during the execution by the Company of any works authorised by this Act fourteen days notice of the intention to commence such works shall be given to the corporation and the Company shall provide accommodation for the traffic and access to houses and other places affected thereby and make suitable arrangements for fencing lighting and watching to the reasonable satisfaction of the corporation and shall maintain such accommodation and access fences and lights to the like satisfaction :

(10) In any case where any house or other building intended to remain standing shall be severed by the Company they shall to the reasonable satisfaction of the corporation build up or repair such house or building so as to prevent unsightly appearances :

(11) The Company shall be responsible for and make good to the corporation and to the Manchester Carriage and Tramways Company all costs losses damages and expenses which may be occasioned to the tramways in the city or to any of the works or property thereof or to any person or persons using the same

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or otherwise by reason of the execution maintenance or repair or failure of the said works by this Act authorised or by reason of any obstruction to or increased cost in the working of the traffic of the tramways or of any act or omission of the Company or of any of the persons in their employ or of their contractors or others and the Company shall effectually indemnify and hold harmless the corporation and the said tramways company from all claims and demands upon or against them by reason of such execution maintenance or repair or failure or of any such omission:

(12)—(A) All the foundations of every bridge constructed under the powers of this Act over any street in the city shall extend and be made below the surface of the ground to such depth below the level of existing sewers drains water hydraulic gas and telephonic mains or other mains pipes works or apparatus as shall be necessary for the purpose of ensuring the permanent stability of the said railways and as shall be sufficient to allow the corporation to make and construct repair or relay any sewers drains water hydraulic gas telephone or other mains pipes works or apparatus which under or by virtue of any Act of Parliament the corporation are or may at any time hereafter be authorised to lay down construct and deposit;

(B) Prior to the commencement of any foundations for such piers or abutments the Company shall furnish to the corporation a section showing the proposed depth of such foundations and if the corporation shall not within twenty-eight days from the receipt of such section notify their objections or requirements in relation thereto the same shall be deemed to be approved and the work shall be carried out accordingly The work shall be carried out in accordance with such agreement or determination The inside face of the piers or abutments of every bridge shall as far as practicable be lineable with the buildings on each side of the street and if there be no buildings then with the side of the street and no openings whatever shall be placed in any of such piers or abutments The parapets of every bridge shall in every case be of such height from the level of the rails on each side of the said railways and for such further length at both ends of such bridge as the corporation shall reasonably require Every such bridge and crossing shall as far as practicable be made and maintained drop-dry at all times and shall in all other respects be kept in complete repair The Company shall also provide a parapet of such height as the corporation may

reasonably require on any other part of the said railways within the city where the same run near to a public street The piers or abutments of all bridges to be erected under the powers of this Act shall be made and maintained by the Company and shall be faced at the base for a height of one foot six inches with blue bricks and for the next three feet six inches with brown glazed bricks and for the remainder of the height thereof with white glazed bricks for the entire length thereof on each side:

(c) Such blue and glazed bricks shall be maintained and kept cleansed by the Company to the reasonable satisfaction of the corporation who shall be at liberty to undertake at the expense of the Company the cleansing of such glazed bricks from time to time in the event of the neglect of the Company so to do In cases where the corporation shall consider extra lighting necessary by night or day the Company shall provide sufficient lighting under any new bridge to be constructed under the powers of this Act:

(d) Each of the said bridges shall be so constructed and at all times thereafter maintained by the Company as to enable the corporation from time to time to replace repair renew and lay down the said sewers drains water hydraulic gas telephonic or other mains pipes works or apparatus and also such additional sewers drains mains and pipes works or apparatus as they may think fit from time to time hereafter:

(e) The cost of any lamps sewers drains water hydraulic gas electric or other mains pipes works and apparatus belonging to the corporation which may be rendered useless by the works authorised by this Act shall be paid to the corporation by the Company on demand and the same shall then become the property of the Company Provided always that the corporation may at their option retain the use of such existing sewers electric mains or pipes which pass under any streets or land acquired by the Company under the powers of this Act as will not in any way interfere with the construction or working of the railway:

(f) Before obstructing or breaking up any public street or road in the city under the powers of this Act the Company shall give to the corporation fourteen days notice in writing and the works so far as the same affect such street or road shall be carried out by the Company to the reasonable satisfaction of the corporation:

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(G) The flags paving stones and other materials in any street in the city which may be stopped up or interfered with by the Company in the execution of the works by this Act authorised shall remain the property of the corporation and may be removed by them or they may at their option require the Company to purchase the same:

(13)—(A) Whenever in execution of the powers in this Act contained it shall for any purpose be necessary to alter or interfere with or disturb any of the paving or flagging of the streets in the city or any sewers or drains or any of the water hydraulic gas telephonic or other mains pipes works or apparatus belonging to the corporation such alteration in the position or otherwise of any such sewer drain or water hydraulic gas telephonic or other main pipe works or apparatus or other work which may be required for the purpose of any works by this Act authorised shall be carried out by and under the direction of the corporation but at the expense in all respects of the Company inclusive of the paving flagging and kerbing necessary to reinstate the street and make the same fit for traffic:

(B) No existing sewer drain water hydraulic gas telephonic or other main pipe work or apparatus belonging to the corporation shall be disturbed altered or interfered with by the Company in execution of the works authorised by this Act or at any time thereafter until a substituted sewer drain water hydraulic gas telephonic or other main pipe work or apparatus shall have been provided laid and constructed by the corporation of a capacity and at a level or levels which shall preserve to the reasonable satisfaction of the city surveyor the free and uninterrupted flow and passage of sewage water hydraulic power and gas or other matter through the same respectively The cost to be incurred by the corporation in providing laying and constructing such substituted sewer drain water hydraulic gas telephonic or other main pipe works or apparatus (including therein any compensation which may be payable by the corporation in respect thereof) shall be payable by the Company to the corporation on demand:

(C) The above provisions in paragraphs (A) and (B) of this subsection shall extend and apply to any place (whether in a street or elsewhere) where the railways and works by this Act authorised shall be constructed under or over any sewer drain water hydraulic gas electric or other main pipe works or apparatus of the corporation:

(p) Where the widenings and works connected therewith pass over any street whether public or private suitable arrangements shall be made in and at the time of the construction of such widenings and works by and at the cost of the Company for the carrying and protection of the present and future water hydraulic gas telephonic or other mains pipes works or apparatus of the corporation and also of their sewers and drains and of any diversions thereof respectively or substitutions therefor in accordance with plans to be submitted to and reasonably approved by the city surveyor:

(14) The cost of all works and matters which under this Act are to be or may be executed done or provided by the corporation at the cost of the Company and all other costs and expenses by this Act made payable by the Company to the corporation shall be paid on demand and shall be recoverable in any court of competent jurisdiction:

(15) If any difference shall arise between the corporation and the Company as to the reasonableness of the requirements of the corporation or concerning any plan or the execution of any of the works provided for by this Act then every such difference shall be settled by an engineer to be appointed by the corporation and the Company or if they cannot agree then by an engineer to be appointed as umpire under the provisions of the Railways Clauses Consolidation Act 1845.

Power to make road footpaths and other works.

17. Subject to the provisions of this Act the Company may in the lines and according to the levels shown on the deposited plans and sections relating thereto make the road road diversion and other works herein-after described and may in the lines shown on the deposited plans make the new footpaths and alterations of footpaths 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 purposes and in addition thereto may for the purposes aforesaid and for the purpose of extending their stations sidings warehouses coal-wharves depôts and other accommodation for mineral goods and cattle traffic and for other purposes connected with their undertaking enter upon take and use the other lands herein-after described and delineated on the deposited plans and described in the deposited books of reference relating thereto (that is to say):—

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They may in the parish of Ailsworth in the county of Northampton—

(Castor.) Stop up and divert so much of the public footpath along the northern side of the Company's Northampton and Peterborough Railway as extends for a distance of one hundred and seventy-five yards or thereabouts in an easterly direction from its junction with the road which crosses that railway at Castor Station:

They may in the parish of Croft in the county of Leicester—

(Croft.) Stop up and discontinue the portions herein-after mentioned of the following footpaths (that is to say):—

(1) So much as lies between the River Soar and the south side of the Company's South Leicestershire Railway of the public footpath which crosses that railway on the level three hundred and sixty yards or thereabouts east of the bridge over that railway at Croft Station;

(2) So much as extends for a distance of fifty yards or thereabouts in a north-westerly direction from the south side of the said railway of the public footpath which crosses that railway on the level four hundred and thirty yards or thereabouts east of the said bridge;

(3) So much as lies between a point on the south-western boundary of the Croft Granite Brick and Concrete Works two hundred and forty yards or thereabouts north-west of the River Soar and the south side of the said railway of the public footpath which crosses the said railway on the level six hundred and sixty yards or thereabouts east of the said bridge;

(4) So much as lies between the River Soar and the south side of the said railway of the public footpath or right of way which crosses the said railway on the level eight hundred and fifty yards or thereabouts east of the said bridge:

And in lieu thereof they may make two new footpaths—

(1) Between a point on the footpath secondly before described fifty yards or thereabouts measured along that footpath in a north-westerly direction from the southern boundary of the said railway and passing under the railway by means of a subway to the new footpath (2) herein-after described;

(2) Along the southern boundary of the said railway between the points where the footpaths firstly and thirdly before described intersect the said boundary:

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And notwithstanding anything contained in this Act or shown on the deposited plans the said footpaths shall be made in the lines shown in red on the plans signed in duplicate by the Right Honourable the Earl of Camperdown the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred:

And they may enter upon take use and hold certain lands lying on the north side of and adjoining the said railway and east of and near to the said works:

They may in the parish and county borough of Wolverhampton in the county of Stafford—

Extend for a distance of ten yards or thereabouts in an easterly direction the bridge which carries the Company's Stour Valley Railway over Cable Street at Monmore Green and in lieu of the bridge over the Bilston Road at Monmore Green authorised by section 25 of the London and North Western Railway Act 1893 they may construct a new bridge over the said road forty yards or thereabouts south-east of the existing bridge carrying the Company's Stour Valley Railway over that road: (Monmore Green.)

They may in the parishes of Offcote and Underwood and Mapleton in the rural district of Ashbourne in the county of Derby (in connexion with the Ashbourne and Buxton Railway authorised by the London and North Western Railway Act 1890 and now in course of construction)—

Stop up and discontinue the portions of the public footpaths leading from Ashbourne to Mapleton and Dovedale respectively which lie between points three hundred yards or thereabouts measured along the northernmost footpath and two hundred and seventy yards or thereabouts measured along the southernmost footpath in a south-easterly direction from the bridge carrying the footpaths over the Bentley Brook on the one hand and the points at which the said footpaths respectively intersect the western boundary of the said railway on the other hand and in lieu thereof they may make a new footpath from the point firstly herein-before described passing under the viaduct carrying the said railway over Bentley Brook to the point where the footpath from Ashbourne to Dovedale intersects the western boundary of the said railway: (Ashbourne footpaths.);

They may in the parish of St. Helen's in the county borough of St. Helen's in the county of Lancaster—

Make a new road commencing by a junction with Grove Street at or near the north side of Marsh's level crossing (St. Helen's.)

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on the Ravenhead Branch of the Company's St. Helen's Railway and terminating by a junction with Canal Bank West at a point on the west side of the Ravenhead Branch of the Company's St. Helen's Canal sixty yards or thereabouts north of its southern termination;

Widen Canal Bank West on the east side thereof between the last-mentioned point and the Tavern Swing Bridge over the said branch canal;

Stop up and discontinue Back Grove Street and Top Grove Street and so much of Grove Street as lies between the north side of the said level crossing and Watson Street;

Stop up and extinguish all rights of navigation and all other rights in along or over and may abandon and discontinue the maintenance and use of so much of the said branch canal as extends from its southern termination to a point ten yards or thereabouts east of the said Tavern Swing Bridge and may remove the said bridge and substitute a solid embankment and roadway therefor;

And the Company may appropriate and use for the purposes of this Act the bed site and soil of so much of the said branch canal as may be required for those purposes and may sell lease or otherwise dispose of so much thereof as may not be required for those purposes:

They may in the parish and urban district of Leigh in the county of Lancaster—

(Pennington footpath.)

Stop up and divert so much of the public footpath from Pennington Station to Davenport House which crosses on the level the Company's West Leigh Branch Railway as lies between points respectively one hundred and thirty-five yards or thereabouts south and fifty yards or thereabouts north of the said level crossing and may carry the footpath over the said railway by means of a footbridge:

They may in the parish of Manchester in the city and county borough of Manchester in the county of Lancaster—

(Travis Street Manchester.)

Construct and maintain a bridge over Travis Street and Sheffield Street at and near their junction:

They may in the parish and urban district of Soothill Upper in the west riding of the county of York—

(Batley.)

Alter and divert so much of the road on the west side of and adjoining the Company's Leeds and Dewsbury Railway and property at Batley Station as extends for a distance of one hundred and forty yards or thereabouts southward from its junction with Soothill Lane;

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Make new or additional archways or openings under Soothill Lane on the west side of and adjoining the existing archways by which the said railway passes under the said lane and for that purpose may alter the levels of the said lane;

Enter upon take use and hold certain lands lying on the west side of and adjoining the said railway at and near the west end of the subway under that railway opposite West Street Batley.

For protection of corporation of Wolverhampton.

18. The following provisions for the protection and benefit of the mayor aldermen and burgesses of the borough of Wolverhampton (in this section called "the corporation") shall unless otherwise agreed in writing between the corporation and the Company have effect (that is to say):—

(1) The extension of the bridge over Cable Street at Monmore Green in the parish and county borough of Wolverhampton by this Act authorised shall be constructed by means of girders to be of not less height from the roadway than the existing bridge:

(2) The abutments of the existing bridge and the proposed extension thereof at Cable Street aforesaid from the ground level thereof shall be faced with white glazed bricks or tiles at the option of the corporation:

(3) The proposed extension of the bridge at Cable Street shall be of the same width between the abutments as Cable Street is on the east side of the proposed extension:

(4) The Company shall erect or affix one lamp under either the existing bridge or the proposed extension thereof at Cable Street in such place as the corporation may direct and shall keep the same lighted during the same hours as the nearest public lamps are kept lighted at their own expense:

(5) The existing bridge and the proposed extension thereof over Cable Street shall be constructed and maintained so as to prevent as far as practicable the dripping of water:

(6) In the event of the Company constructing over the Bilston Road at Monmore Green the bridge authorised by the section of this Act the marginal note of which is "Power to make road footpaths and other works" in lieu of the bridge authorised by section 25 of the London and North Western Railway Act 1893 such new bridge shall be a girder bridge of not less span and headway than the existing bridge:

(7) The Company shall line the walls under such last-mentioned bridge from the level of the roadway with white glazed bricks

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or tiles at the option of the corporation and shall maintain the same so lined clear and uncovered and in good condition and the Company shall erect or affix one lamp under such bridge in such place as the corporation may direct and shall keep the same lighted during the same hours as the nearest public lamps are kept lighted at their own expense:

(8) The new bridge of the Company over Bilston Road aforesaid shall be constructed and maintained so as to prevent as far as practicable the dripping of water:

(9) In the construction of the new bridge over Bilston Road aforesaid and in laying down the rails thereon the Company shall use the best reasonably practicable means for deadening the noise caused by the traffic passing over the bridge and they may place supporting columns under the bridge in one of the methods following to be selected by the corporation (that is to say):—

(A) The Company may erect three columns in a line in the centre of the road under the bridge; or

(B) They may erect three columns on each footpath next to the kerb on each side of the road:

(10) The base of each such column shall be circular and shall not exceed three feet in diameter:

(11) If the method of support (A) herein-before referred to is adopted the Company shall relay the tramway under the bridge as a single line in such position and as may be reasonably approved of by the corporation and the Company shall at the request of the corporation set back the footpath under the bridge to such extent as the corporation may require and the Company shall reinstate and make good the roadway and footpath broken up or interfered with for the purpose aforesaid to the reasonable satisfaction of the corporation:

(12) In the event of any difference arising between the corporation and the Company in respect of the execution of any works or the doing of any act or thing provided for by this section the same shall be settled by an engineer to be appointed by the President of the Institution of Civil Engineers upon the request of either party:

(13) Nothing herein contained shall be deemed to repeal alter or vary any of the provisions of section 27 of the said London and North Western Railway Act 1893 so far as they relate to the existing bridge of the Company over the Bilston Road aforesaid.

For protection of Batley Corporation

19. Notwithstanding anything in this Act contained the following provisions for the protection of the mayor aldermen and burgesses of the borough of Batley (in this section called "the corporation") shall have effect:—

(1) In sections 18 to 23 of the Railways Clauses Consolidation Act 1845 whenever the words "company" or "society" are used the same shall for the purposes of this Act be held to extend to and include the corporation:

(2) If the Company shall interfere with any gas mains or pipes of the corporation or the ground in which any such main or pipe is laid all alterations of such mains or pipes and all additional mains and pipes rendered necessary by any works authorised by this Act shall respectively be made and laid at the expense of the Company by the corporation in accordance with a plan to be reasonably approved by the engineer of the corporation:

(3) The Company shall make all such provisions and do all such works and things as may be requisite for the due protection support and maintenance as well during the construction of the works authorised by this Act as after the completion thereof of the said gas mains or pipes of the corporation and for preventing any injury or interruption to the works and gas supply of the corporation:

(4) The whole of the works for the purposes aforesaid shall be done under the superintendence of the engineer of the corporation and the Company shall give to the said engineer forty-eight hours notice for that purpose The corporation may if they so elect carry out themselves any such alteration or any addition to the said gas mains or pipes or any such works and things in relation thereto as aforesaid at the expense in all things of the Company:

(5) If by reason of the execution of the works by this Act authorised or the repair or want of repair or due or proper maintenance thereof or otherwise by reason of the said works any repairs renewals or alterations of the gas mains or pipes apparatus or works of the corporation are required such repairs renewals or alterations shall be effected by the corporation at the expense of the Company and the Company shall pay to the corporation full compensation in respect of any damage or injury which may be occasioned or done to any of their mains pipes or gasworks by reason of the execution of the works authorised by this Act or the repair or want of repair or due or proper maintenance of such last-named works or otherwise on account thereof as aforesaid.

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For protection of corporation of St. Helen's.

20. The following provisions for the protection and benefit of the mayor aldermen and burgesses of the borough of St. Helen's (in this section called "the corporation") shall with reference to the new road and the widening of Canal Bank West by this Act authorised apply and have effect (that is to say):—

(1) The new road and Canal Bank West when widened (hereinafter mentioned as "the said roads") shall be of the full width throughout of not less than forty-two feet and the said Canal Bank West for a distance from Bold Street of one hundred and eight yards at the east end thereof shall be of such further width as shall afford a good and easy approach thereto both from Bridgwater Street and Grove Street:

(2) The Company shall pave flag sewer and complete the said new roads to the satisfaction of the corporation and thereafter the corporation shall repair and maintain such roads Provided always that the sewering herein-before referred to shall include the provision for the purposes of the drainage of the district of a sewer for the reception of surface water as well as a sewer for the reception of sewage only:

(3) The provisions of the Railways Clauses Consolidation Act 1845 contained in the sections 18 to 23 inclusive shall so far as the same are applicable 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 words "company" or "society" are used the same shall for the purposes of this Act be held to extend to and include the corporation:

(4) 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 or apparatus the Company shall repay to the corporation such cost:

(5) If by reason of the execution of any of the powers of this Act any additional sewers or drains gas or water mains or pipes or any increased length of sewers drains gas or water mains or any additional apparatus shall become necessary the same shall be forthwith constructed and laid down by the Company according to such plan and section and in such reasonable manner as shall be approved of by the corporation:

(6) The corporation and the Company may enter into and carry into effect agreements for any variation in the works to be done under this section or in the mode of executing the same:

(7) Any difference which may arise between the corporation and the Company respecting any of the matters referred to in this

section shall be determined by an engineer to be appointed at the request of either party by the President of the Institution of Civil Engineers.

Provision as to Ravenhead Road St. Helen's.

21. Upon the works in the borough of St. Helen's in the county of Lancaster by this Act authorised being carried out and when the mayor aldermen and burgesses of the borough of St. Helen's (in this section called "the corporation") shall undertake at their own cost to widen and lower the Ravenhead Road where the same passes under the Eccleston Branch Railway of the Company so that the same shall have a width of thirty-six feet and a headway of fourteen feet such headway being calculated from the level of the soffit of the existing opening then the Company within six months of being required by the corporation in writing so to do shall at their own expense so alter and reconstruct the existing opening as to allow the widened roadway to pass thereunder of the width and with the clear headway before mentioned.

For protection of Soothill Upper Urban District Council.

22. For the protection of the Soothill Upper Urban District Council (herein referred to as "the council") the following provisions shall apply and have effect:—

In constructing and maintaining the works by this Act authorised in the parish and urban district of Soothill Upper and in exercising any powers by this Act conferred upon the Company in that parish and district the Company shall observe perform and fulfil the following provisions and stipulations and conditions (namely):—

The Company shall construct and make the proposed diversion of the road at Batley Station in the said urban district of Soothill Upper of the width of at least thirty-six feet throughout its entire length and shall (subject to the consent of Lord Savile) widen the existing road from the commencement of such diversion to Warehouse Street on the south to a similar width of at least thirty-six feet and shall not reduce the available width of any part of Soothill Lane to less than thirty-six feet:

The Company shall give notice to the council in writing of their intention to commence the construction of the works in the parish and urban district of Soothill Upper aforesaid authorised by this Act three months before the commencement of the construction and if the council shall within such period of three months by notice in writing to the Company require them to widen the existing bridge at Batley Station so far as it extends over their own railway (that is to say) from the point marked B on the deposited

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plan and section of Soothill Lane to the centre of the pier on the west side of and supporting the arch over the rails of the Great Northern Railway Company shown on the said section the Company shall widen such bridge to the extent mentioned to a width of not less than thirty-six feet between the parapets and the council shall on completion of the same to their reasonable satisfaction contribute a sum of five hundred pounds towards the cost of such construction and widening:

If in the construction of the works authorised by this Act the Company shall interfere with any water or gas mains or pipes of the council all alterations of the same and all additions or other mains and pipes rendered necessary by such works shall respectively be made and laid at the expense of the Company by the council in accordance with a plan to be reasonably approved by the Company's engineer:

Any difference arising between the council and the Company under this section whether as to the due completion of the widened bridge or otherwise shall be determined by an arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers.

Power to acquire additional lands &c.

23. 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 for the purpose of extending the stations sidings warehouses coal wharves depôts and other accommodation of the Company for mineral goods and cattle traffic and for other purposes connected with their undertaking the lands herein-after described or referred to delineated on the deposited plans and described in the deposited books of reference relating thereto and may execute the works and exercise the powers herein-after mentioned and so far as such works are shown upon the deposited plans and sections in accordance with those plans and sections (that is to say):—

In the county of London—

(Euston.)

Certain lands in the parish of Saint Pancras lying on the south-west side of and adjoining the Company's main line of railway and property and on the north-east side of and adjoining the Regent's Canal (Collateral Cut) and extending from the Hampstead Road to the north-western end of Park Village East:

Certain other lands in the same parish lying on the north-east side of and adjoining Mornington Road and between Stanhope Street and Mornington Place:

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Certain other lands in the same parish lying on the north-east side of and adjoining the Company's main line of railway and between Serpentine Road and Delancey Street And the Company may in the lines and according to the levels shown on the deposited plans and sections relating thereto make additional archways or openings under Granby Street and Harrington Street on the south-west side of and adjoining the existing archways by which Granby Street is now carried over the said railway and may make a new road commencing by a junction with Stanhope Street opposite the junction therewith of Granby Street and terminating by a junction with Park Village East at a point three hundred and ninety-five yards or thereabouts from the north-western end thereof and may stop up—

(*a*) So much of Stanhope Street as lies between the junction therewith of Granby Street and the north-east side of the said main line of railway;

(*b*) Augustus Square and so much of Augustus Street and Park Village East as lies between a point in Augustus Street one hundred and fifty yards or thereabouts south-east of the southern end of Serpentine Road and the termination of the said intended new road; and

(*c*) Serpentine Road between its junctions with Park Village East and Mornington Road including the bridge and roadway between Serpentine Road and Mornington Road:

(Lands at Bow.) Certain lands in the parish of St. Leonard Bromley in the district of the Poplar District Board of Works lying on the west side of and adjoining the Company's Devons Road goods depôt and on the east side of and adjoining Violet Road:

In the county of Buckingham—

(Lands at Wolverton.) Certain lands in the parish of Wolverton lying on the west side of and adjoining the Company's works and property at Wolverton and between Stratford Road and the Grand Junction Canal:

In the county of Bedford—

(Lands at Willington.) Certain lands in the parish of Willington in the rural district of Bedford extending from the Wesleyan Chapel at Willington to the Company's Bedford and Cambridge Railway and thence for a distance of two hundred yards or thereabouts in a westerly direction along the south side of that railway:

(Lands at Potton.) Certain lands in the parish of Potton lying on the south-east side of and adjoining the Company's Bedford and Cambridge Railway at and near Potton Station:

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In the county of Northampton—

(Lands at Roade.) Certain lands in the parish of Courteenhall in the rural district of Hardingstone lying on the west side of and adjoining the Company's Bletchley Northampton and Rugby Railway and three hundred yards or thereabouts north of the bridge over that railway known as Courteenhall Bridge:

In the county of Leicester—

(Lands at Hinckley.) Certain lands in the parish and urban district of Hinckley lying on the south side of and adjoining the Company's South Leicestershire Railway at and near Hinckley Station:

In the county of Rutland—

(Lands at Morcott.) Certain lands in the parishes of Morcott and South Luffenham lying on the north-west side of and partly adjoining the Company's Rugby and Stamford Railway six hundred yards or thereabouts north-east of the tunnel at Morcott and extending from that railway in a south-westerly direction to the village of Morcott:

In the county of Chester—

(Lands at Crewe.) Certain lands in the parish of Crewe lying on the east side of and adjoining the Company's railway and station at Crewe and on the north side of and adjoining Crewe Green Road:

For the purpose of constructing the easternmost abutment of the bridge for carrying the widening authorised by section 4 of the London and North Western and Great Western Railway Companies Act 1893 over the River Dee—

(Lands at Dee Bridge Chester.) Certain lands in the parish of Chester in the city and county borough of Chester lying on the east side of and adjoining the River Dee and twenty-two yards or thereabouts south of the bridge carrying the Company's Chester and Holyhead Railway over that river:

In the county of Lancaster—

(Lands at West Leigh.) Certain lands in the parish and urban district of Leigh lying on the east side of the Company's Bolton and Kenyon Railway and south of and near to Twiss Lane:

(Lands at Brock.) Certain lands in the parish of Claughton lying on the west side of and adjoining the Company's Lancaster and Carlisle Railway north of and near to Brock Station:

(Lands at Scorton.) Certain lands in the parish of Nether Wyresdale lying on the south-west side of and adjoining the Company's Lancaster and Carlisle Railway at and near Scorton Station:

In the county of Westmorland—

(Lands at Hincaster Junction.) Certain lands in the parish of Hincaster in the rural district of South Westmorland lying on the west side of and adjoining

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the Company's Lancaster and Carlisle Railway north of and near to Hincaster Junction:

In the west riding of the county of York—

(Lands at Sheffield.)

Certain lands in the parish of Attercliffe-cum-Darnall in the city and county borough of Sheffield lying between and adjoining Worthing Road and Jessel Street.

For protection of sewers in county of London.

24.—(1.) 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 London County Council (herein-after referred to as "the council") 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 council or 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 control or under the control of one or more of them the Company shall not commence such works until they shall have given to the council 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 the council or 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 the council or such board or vestry respectively shall have signified their approval of the same unless the council or 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 council 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 the council and 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 council and 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 council district board or vestry as the case may be at the costs charges and expenses in all respects of the

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Company and all reasonable costs charges and expenses which the council 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 the council or 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 council district board or vestry as the case may be respectively as any sewers or works now or hereafter may be.

(2.) As regards all sewers belonging to the council or vestry situate in any of the streets or lands to be stopped up and appropriated under the powers of this Act the Company shall divert the said sewers so far as they are situate within the said streets and lands substituting at their own expense new sewers therefor of increased length if necessary together with all necessary works in connexion therewith the whole to be executed to the satisfaction of the council.

Bridges over railway.

25. Notwithstanding anything in this Act or on the deposited plans and sections all bridges to be constructed by the Company for carrying any road or street in the county of London over the railway shall be constructed so as not to lessen the present clear width of such road or street including the footway or footways and in no case shall any such bridge be of less width between the parapets thereof than forty feet measured on the square and every such bridge shall be so covered or fenced as to prevent as far as may be reasonably practicable the escape of steam smoke or other offensive effluvia into any such road or street.

Plans of bridges and works to be submitted to the London Council.

26. The Company shall not execute or commence the erection of any bridge or works under or over any street in the county of London until they shall have given to the council twenty-eight days notice in writing of their intention to commence the same by leaving such notice at the offices of the council with plans elevations sections and other necessary particulars of the construction of the said bridge and works and until the council shall have signified their approval of the same unless the council fail to signify such approval or their disapproval or other directions within twenty-eight days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions

and regulations of the council in the execution and subsequent maintenance of every such bridge and the works connected therewith and shall save harmless the council against all and every expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the engineer or other officer of the council at the costs charges and expenses in all respects of the Company and all reasonable costs charges and expenses which the council may be put to by reason of the works of the Company whether in the execution of the works the preparation or examination of plans and designs superintendence or otherwise shall be paid to the council by the Company on demand.

Paving works &c. in connexion with streets stopped up.

27. The Company if and when they stop up any streets in the parish of Saint Pancras under the powers of this Act shall make up and complete the footway paving and channels in any streets with which the streets so to be stopped up are connected to the reasonable satisfaction of the vestry of that parish.

Walls of buildings to be made good.

28. The Company shall not where any house or building in the county of London shall have been wholly or in part demolished by them leave any adjoining structures or any portion of a partly demolished structure in any unsightly condition for any longer period than is reasonably necessary.

Buildings not to be brought beyond general line &c.

29. Notwithstanding anything contained in this Act or shown on the deposited plans it shall not be lawful for the Company without the consent of the London County Council to erect or maintain any building beyond the general line of building in either of the streets known as Mornington Road and Mornington Place in the parish of Saint Pancras.

For protection of vestry of St. Pancras.

30. For the protection of the vestry of St. Pancras in the county of London (in this section called "the vestry") the following provisions shall have effect unless otherwise agreed on in writing between the vestry and the Company (that is to say):—

(1) The Company shall construct and maintain over the railway at a point opposite Mornington Street to a point in Park Village East a bridge having the width throughout of not less than forty-five feet between the parapets and shall make form pave kerb channel drain and complete the road thereover and make form and pave a footway on each side thereof not less than ten feet wide and provide the same with a suitable number of public lamps to the reasonable satisfaction of the vestry and open the same to the use of the public before they interfere with the traffic over the existing Serpentine Road Bridge and

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shall maintain the road and footways for the period of two years after the completion thereof:

(2) Except with the consent in writing of the vestry no material excavated in the parish of St. Pancras in the exercise of the powers of this Act in that parish shall be carted along any street therein but shall be carried away by the Company by their railway:

(3) Before the Company interferes with Granby Street they shall provide a temporary road between Harrington Street and Hampstead Road of a width of not less than twenty-five feet:

(4) All works to be executed by the Company in any way affecting any works sewers streets or property vested or to be vested in the vestry shall be so executed at the cost in all respects of the Company in accordance with plans sections and specifications submitted to and approved by the vestry before the commencement of the work and under the superintendence and to the reasonable satisfaction of the surveyor of the vestry and the reasonable cost of such superintendence shall be paid by the Company to the vestry If the vestry fail to signify their approval or disapproval or to state their requirements with respect to such plans sections and specifications within twenty-one days after their deposit by the Company at the office of the surveyor at the vestry hall of St. Pancras the vestry shall be deemed to have approved thereof:

(5) All the carriageway footway and other paving gully gratings street posts lamp columns and other materials and appliances in or upon any of the streets in the parish which the Company may stop up under the powers of this Act shall remain the property of and belong to and be handed over without charge to the vestry at their nearest convenient depôt:

(6) If any difference arise between the Company and the vestry touching anything to be done or not to be done or any moneys to be paid under the provisions of this section such difference shall be settled by an engineer to be appointed (unless otherwise agreed upon) upon the application of either of the parties in difference by the President of the Institution of Civil Engineers:

(7) The Company shall from time to time pay to the vestry all rates leviable by or payable to them 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 liable to be 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 the rate made in the month of April one thousand eight hundred and ninety-eight notwithstanding that the buildings thereon or forming part thereof may have been taken down.

For protection of the Gas Light and Coke Company.

31. Whereas in the execution of the works by this Act authorised the mains pipes syphons and other works belonging to the Gas Light and Coke Company (in this section referred to as "the gas company") may be intersected or otherwise interfered with and it is expedient that the gas company should have full control over the execution of all works in any way affecting the supply by them of gas so as effectually to provide against the supply thereof being impeded Therefore the following provisions shall have effect for the protection of the gas company (that is to say) :—

(1) All works matters or things which under the provisions of the Railways Clauses Consolidation Act 1845 or this Act the Company may be empowered or required to do or execute with reference to the mains pipes syphons or other works of the gas company shall be done and executed by and at the cost of the Company but to the reasonable satisfaction and under the direction of and in such manner as shall be reasonably required by the engineer for the time being of the gas company and such works matters or other things shall not be commenced until after fourteen days previous notice thereof in writing shall have been given to the gas company and the Company shall not lay down any such mains pipes syphons or other works contrary to the regulations of any Act of Parliament relating to the gas company Provided always that if the gas company shall elect themselves to execute any portion of the works matters and things which the Company may by this Act be empowered or required to do or exercise with reference to or affecting the mains pipes syphons apparatus or other works of the gas company and of such their election shall give seven days notice in writing to the Company by leaving the same at their head office in London the gas company may themselves execute that portion of the said works matters and things and the reasonable expense of and incident to the executing the same shall be repaid by the Company to the gas company on demand :

(2) When the Company for any of the purposes of this Act take any of the mains pipes syphons and other apparatus belonging

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to the gas company in any streets highways roads footpaths lanes courts passages and other places within the limits shown on the deposited plans which are now used by the gas company for supplying gas to the streets highways roads footpaths lanes courts passages and other places as aforesaid they shall pay to the gas company the value of such mains pipes syphons and other apparatus and the same shall thereupon become the property of the Company and the Company shall also pay to the gas company their reasonable charges of removing or altering any of the mains pipes syphons or other apparatus in immediate communication therewith which the works of the Company shall render useless or which shall require to be altered:

(3) If any interruption whatsoever in the supply of gas by the gas company or any loss of gas shall be in any way occasioned or sustained by the gas company by reason of any act or omission of the Company or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Company shall forfeit and pay to the gas company for such interruption for the use and benefit of the gas company the sum of five pounds for every hour during which such interruption shall continue and in addition shall pay to the gas company the value of the gas so lost If the Company shall find it necessary to undermine but not otherwise alter the position of any main pipe syphon or other work belonging to the gas company they shall temporarily support the same in its position during the execution of their works and on their completion shall provide a good and suitable foundation for every main pipe syphon or other work so undermined:

(4) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the gas company all costs losses damages and expenses which may be occasioned to the gas company or to any of their mains pipes syphons apparatus property works and conveniences by reason of the execution or failure of any of the intended works or of any act or omission of the Company or of any of their contractors agents workmen or servants or any of the persons in their employ or in the employ of their contractors or others and the Company will effectually indemnify and hold harmless the gas company from all claims and demands upon or against them by reason of such execution or failure or of any such act or omission:

(5) Any difference arising between the Company and the gas company respecting any of the matters referred to in this enactment shall be settled at the request of either party by an engineer to be appointed by the President of the Institution of Civil Engineers.

For protection of North Metropolitan Railway and Canal Company.

32. The Company shall not by virtue of the powers of this Act stop up or allow to be stopped up or lessen in width or convenience any access now enjoyed by means of the pathway numbered on the deposited plans 77 in the parish of St. Pancras to the Regent's Canal collateral cut and the towing path thereof and the Company shall do and execute all such works as may be required for the purpose of maintaining such access from the proposed new road:

Provided always that nothing in this section contained shall confer or be deemed to confer upon the North Metropolitan Railway and Canal Company any right over the said pathway not already legally enjoyed.

Power to divert foot-bridge across North and South Western Junction Railway.

33. Subject to the provisions of this Act the Company the Midland Railway Company and the North London Railway Company or any one or more with the consent of the other or others of them may exercise in connexion with the undertaking of the North and South Western Junction Railway Company the powers following (that is to say):—

(Woodstock Road foot-bridge.)

They may in the parish and urban district of Acton in the county of Middlesex stop up and divert so much as lies between the boundaries of the Hammersmith Branch of the North and South Western Junction Railway of the public footpath which crosses that branch on the level near the northern end of Woodstock Road and may carry the footpath over the said railway by means of a footbridge.

Period for compulsory purchase of lands.

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

Power to deviate in construction of road diversion &c.

35. The Company may in constructing the new road road diversion and other works and footpaths authorised by the sections of this Act of which the marginal notes are "Power to make road footpaths and other works" and "Power to acquire additional lands &c." deviate from the lines thereof to the extent of the limits of deviation marked on the deposited plans and may deviate from the levels of any of the said works shown on the deposited sections to any extent not exceeding three feet but not so as to increase the rate of inclination of any new or diverted road as shown on the said sections.

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Road and footpaths not to be stopped up till substituted road or footpaths completed.

36. The Company shall not stop up any road or footpath or portion of road or footpath by this Act authorised to be stopped up until they shall have completed and opened to the public the diversion of such road or footpath or the new road or footpath (if any) as the case may be by this Act authorised to be made in lieu of the road or footpath so to be stopped up and shall have obtained the certificate of two justices that such road or footpath is duly completed in accordance with the provisions of this Act Provided that the Company shall before applying to such justices for such certificate give seven days notice in writing of their intention to apply for the same to the road authority of the district in which such road or footpath is situate:

And the certificate of such justices together with the plan (if any) showing such stopping up and diversion or new road or footpath as aforesaid shall as soon as conveniently may be after the making of the said certificate be lodged with the clerk of the peace of the county or borough in which the said road or footpath or the diversion thereof is situated and shall at the quarter sessions which shall be holden in and for the said county or borough next after the expiration of four weeks from the day of the said certificate of the said justices having been lodged with the clerk of the peace as aforesaid be read by the said clerk of the peace in open court and the said certificate together with the plan as aforesaid shall be enrolled by the clerk of the peace amongst the records of the said court of quarter sessions.

Provisions as to repair of new roads &c.

37. Any road or footpath or portion of road or footpath to be made diverted or altered under the authority of this Act (except the stone iron or other structure carrying any such road or footpath over the railway which structure shall unless otherwise agreed 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 of the same nature within the parishes in which such road or footpath or portion of road or footpath will be situate are from time to time liable to be repaired or maintained:

Provided always that nothing in this section shall relieve the Company from any obligation to repair and maintain any road or footpath or any part thereof made or deviated for the purposes of the new railway which they would be bound to repair and maintain under the provisions of the Railways Clauses Consolidation Act 1845.

Extinguishment of rights of way.

38. All rights of way over or along the several roads footpaths courts passages thoroughfares or highways or portions thereof

which shall under the provisions of the sections of this Act the marginal notes of which are "Power to Company to make road footpaths and other works" and "Power to acquire additional lands &c." be diverted 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 diversion 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.

39. The site and soil of the several roads footpaths courts passages thoroughfares or highways or portions thereof by this Act authorised to be diverted 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 for the purposes of their undertaking subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway.

Power to owners to grant easements &c.

40. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes or under the powers of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Owners may be required to sell parts only of certain properties.

41. And whereas in the construction of the railway and works by this Act authorised or otherwise in the exercise by the Company of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Company and that such portions or some other greater or less portions thereof can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect :—

(1) The owner of and persons interested in any of the properties whereof the whole or part is described in the First Schedule to this Act and whereof a portion only is required for the purposes

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of the Company or each or any of them are herein-after included in the the term "the owner" and the said properties are herein-after referred to as "the scheduled properties":

(2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Company that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Company such portion only without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:

(3) If within such twenty-one days the owner shall by notice in writing to the Company allege that such portion cannot be so severed the jury arbitrator or other authority to whom the question of disputed compensation shall be submitted (herein-after referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other greater or less portions thereof (but not exceeding the portion over which the Company have compulsory powers of purchase) can be so severed:

(4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Company the portion which the tribunal shall have determined to be so severable without the Company being obliged or compellable to purchase the whole the Company paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:

(5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner:

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(6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Company may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:

(7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Company in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit:

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845:

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Power to acquire easements for constructing tunnel on railway.

42. And whereas the railway at Shap is shown on the deposited plans and sections as intended to be constructed in tunnel through or under the properties referred to in the Second Schedule to this Act at a depth of forty feet and upwards between the crown of the tunnel and the surface of the ground Therefore the Company may purchase and acquire an easement or right of constructing and using that railway through or under those properties without being obliged to purchase the land over such railway or any houses buildings manufactories or premises thereon respectively 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 or used by the Company without material detriment to such properties Provided that nothing in this section contained shall apply to any of the said properties the surface of which is at a less height than forty feet above the crown of the said tunnel as the same shall be constructed

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Provided also that nothing in this section contained nor any dealing with any of the said properties in pursuance thereof shall relieve the Company from liability to compensation under section 68 of the Lands Clauses Consolidation Act 1845 in respect of any properties through or under which the Company may purchase or acquire an easement or right of constructing and using such tunnel.

Extension of time for construction of Ashbourne and Buxton Railway.

43. The time limited by the London and North Western Railway Act 1895 for the construction and completion of the Ashbourne and Buxton Railway authorised by the London and North Western Railway Act 1890 is hereby extended for a period of one year from the fourth day of August one thousand eight hundred and ninety-eight and sections 29 and 30 of the said Act of 1890 so far as the same relate to or affect the said railway as amended by section 34 of the said Act of 1895 shall be read and construed accordingly:

If the said Ashbourne and Buxton Railway be not completed within the said period of one year then on the expiration of that period the powers by the said Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Extension of time for construction of railway at Sheffield.

44. The time limited by the London and North Western Railway Act 1893 for the construction and completion of the railway at Sheffield by that Act authorised is hereby extended for a period of three years from the twenty-seventh day of July one thousand eight hundred and ninety-eight and sections 19 and 20 of that Act so far as the same relate to or affect the said railway shall be read and construed accordingly:

If the said railway be not completed within the said period of three years then on the expiration of that period the powers by the said Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Extension of time for construction of Heaton Lodge and Wortley Railways.

45. The powers of the Company for the construction and completion of so much of Railway No. 1 authorised by the London and North Western Railway (Heaton Lodge and Wortley Railways) Act 1892 as extends from the authorised commencement of that railway to the south side of the road numbered on the deposited plans referred to in that Act 272 in the parish of Mirfield and known as Jill Lane Northorpe are hereby revived and continued and extended and may be exercised until the expiration of three years from the twenty-seventh day of June one thousand eight hundred and ninety-seven and sections 21 and 22 of the said Act so

far as the same relate to or affect the said portion of railway shall be read and construed accordingly :

If the said portion of railway be not completed within the said period of three years then on the expiration of that period the powers by the said Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Restrictions on displacing persons of labouring class.

46.—(1.) The Company shall not under the powers of this Act purchase or acquire in any parish in the administrative county of London (in this section referred to as "London") twenty or more houses or in any other city borough or urban district or any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

(A) Shall have obtained the approval in the case of London of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the said fifteenth day of December or for such number of persons as the said Secretary of State or the Local Government Board (as the case may be) shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case ; and

(B) Shall have given security to the satisfaction of the said Secretary of State or the Local Government Board (as the case may be) for the carrying out of the scheme.

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

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

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Provided that the said Secretary of State or the Local Government Board (as the case may be) may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

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

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

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

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

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

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

Provided also that the said Secretary of State or the Local Government Board (as the case may be) may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as he or they may see fit.

(8.) All buildings erected or provided by the Company in London for the purpose of any scheme under this section shall be subject to the provisions of the London Building Act 1894 (Local) and the Metropolis Management Act 1855 and any Act or Acts amending those respective Acts.

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

(10.) The said Secretary of State or the Local Government Board (as the case may be) may direct any inquiries to be held which he or they may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as inspectors of the Local Government Board have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(11.) The Company shall pay to the said Secretary of State any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector.

(12.) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

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

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

Provided always that this section shall not apply to any house comprised in the Second Schedule to this Act unless the Company pull down such house.

Extending time for sale of certain superfluous lands of Company.

47. 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 for and within which the Company may hold or sell and dispose of any superfluous lands connected with the railways described or mentioned or situate in the parishes named in the Third Schedule to this Act are hereby extended for the periods following (that is to say) As regards such of the said lands as are situate near to or adjoining any railway or station of the 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 to

48. Whereas the railway of the Company between Euston Station and the Queen's Park Station at Kilburn is for the most

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retain sell and dispose of certain lands.

part constructed in cutting or between retaining walls and it is expedient to authorise the Company to hold in perpetuity a certain extent of land outside such cutting and retaining walls in order to have access thereto in case of necessary repairs or for other purposes connected with the maintenance of the railway And whereas considerable portions of the railways of the Company in the cities of Birmingham and Manchester and the borough of Salford are constructed upon viaducts the arches under which can be advantageously used and occupied and it is expedient to give the Company powers to let such arches on lease and to hold in perpetuity all such land as may be required for convenient access to the said arches And whereas the Company have acquired lands for the purpose of constructing approaches to bridges over and under their railways and slopes for such approaches and it is expedient that the Company should be empowered to hold such lands and to lease the same as herein-after provided Therefore notwithstanding anything to the contrary contained in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company with which that Act is incorporated the following provisions shall have effect (that is to say):—

(1) The Company may hold in perpetuity all the lands houses or other buildings already or hereafter to be acquired by them of which the whole or the greater part respectively may lie within the limit of sixty feet from the outer line of the works of the portion of the Company's railway between Euston Station and Queen's Park Station Kilburn and may exercise over the whole of such lands houses or buildings all the powers rights and privileges whatsoever which by law attach to an absolute estate in fee simple:

(2) Where the railway of the Company in the cities of Birmingham and Manchester or the borough of Salford is constructed on viaduct any lands or houses which the Company may have already acquired or may hereafter acquire not exceeding a width of forty feet on each side measured from the outside foundations of the piers of any such viaduct may be held by the Company in perpetuity and either alone or together with such arches or any of them may be let either from year to year or on lease for such term or number of years at such rents under and subject to such covenants and conditions as the Company may think fit and the Company shall have and exercise over all the lands so to be held by them all other powers rights and privileges whatsoever which by law attach to an absolute estate in fee simple:

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(3) The Company may hold in perpetuity any lands which they may have acquired for the purpose of approaches to any bridge over or under any railway or the slopes of such approaches and may let or lease any of such lands to the owner of the adjoining lands either from year to year or on lease for such term or number of years at such rents and under and subject to such covenants and conditions as the Company may think fit.

Extending time for sale of certain superfluous lands connected with Portpatrick and Wigtownshire Railways.

49. Notwithstanding anything to the contrary in the Lands Clauses Consolidation (Scotland) Act 1845 or in any Act relating to the Portpatrick and Wigtownshire Joint Committee or the Company or the Midland Railway Company or the Caledonian Railway Company or the Glasgow and South Western Railway Company with which that Act is incorporated the periods for and within which the said Committee may hold sell and dispose of any superfluous lands connected with the Portpatrick and Wigtownshire Railways are hereby extended for the periods following (that is to say) As regards such of the said lands as are situate near to or adjoining the said railway or any station thereon 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 raise additional money by creation of shares or stock.

50. The Company may raise for the purposes of this Act and any other Act of the present session of Parliament and for the general purposes of their undertaking (being in every case purposes to which capital is properly applicable by the Company) by the creation and issue of shares or stock such capital as they shall think necessary not exceeding one million five hundred thousand pounds exclusive of any other capital which they are or may be authorised to raise by this or 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.

51. The Company shall not issue any share created by them under the authority of this Act of less nominal value than ten pounds 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.

Except as otherwise provided new capital to be subject to same

52. The capital created by the Company under this Act and the shares or stock therein and the holders thereof respectively (except any capital and the 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. A.D. 1898. incidents as ordinary capital.

53. Every person who becomes entitled to any shares or 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 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. Dividends on new shares or stock.

54. The holders of the shares or stock created by the Company 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 the London and North Western Railway (Consolidation) Act 1846 as amended by subsequent Acts: Votes and qualifications in respect of new shares or stock.

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.

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

56. The Company may in respect of the additional capital of one million five hundred thousand pounds which they are by this Act authorised to raise borrow on mortgage of their undertaking any sums not exceeding in the whole five hundred thousand pounds and of that sum they may borrow from time to time not exceeding one hundred and twenty-five thousand pounds in respect of each Power to borrow.

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three hundred and seventy-five thousand pounds of the said additional capital but no part of any of the said sums of one hundred and twenty-five thousand pounds shall be borrowed until shares for so much of the respective portion of the said additional capital in respect of which it is to be borrowed 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 the respective portion of the said 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 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 respective portion of such additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also 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.

57. 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.

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

Existing mortgages to have priority.

59. All mortgages or bonds granted or to be granted by the Company 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 the Company 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.

60. All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied only to the purposes for which they are respectively by this Act authorised to be raised being in every case purposes to which capital is properly applicable.

Receipt in case of persons not sui juris.

61. If any money is payable by the Company to a holder of shares or stock in the Company or mortgagee or debenture stock holder 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 Company to apply corporate funds to purposes of Act.

62. The Company may apply to any of the purposes of this Act to which capital is properly 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 already passed or to be passed in the present session of Parliament and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Midland and North London Railway Companies may

63. The Midland Railway Company and the North London Railway Company respectively may apply for or towards all or any of the purposes of this Act in which they are interested to which capital is properly applicable any sums of money which they have

apply corporate funds.

already raised or are authorised to raise by any of their Acts and which are not required for the purposes to which they are by those Acts made specially applicable.

Interest not to be paid on calls paid up.

64. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him But nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

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

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

Saving rights of Crown.

66. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to 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.

Provision as to general Railway Acts.

67. Nothing in this Act contained shall exempt the Company or the Midland Railway Company or the North London 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 the said companies.

Costs of Act.

68. 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.

SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY ARE REQUIRED TO BE TAKEN.

No. on deposited Plan.	Parish.	Description of Property.
	RAILWAY AT SHAP.	
8	Shap	Granite works &c.
91B	Shap	Dog kennels.
91D	Shap	Yard.
91E	Shap	Garden.
	CLIFTON WIDENING.	
4	Clifton	Stackyard and barn.
	LONDON ROAD AND ARDWICK WIDENING.	
289	City and county borough of Manchester.	Coal shed.
	EUSTON.	
76	Parish and district of St. Pancras county of London.	House stables shop engine house &c.

SECOND SCHEDULE.

DESCRIBING PROPERTIES UNDER WHICH AN EASEMENT ONLY IS REQUIRED TO BE TAKEN.

Parish.	Number on deposited Plan.
RAILWAY AT SHAP.	
Crosby Ravensworth	20 22
Shap	2 3 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 38

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THIRD SCHEDULE.

Superfluous Lands of the Company.

Birmingham and Sutton Coldfield Railway.
Whitchurch and Tattenhall Railway.
Bolton and Kenyon Railway Widening and Deviation.
Darlaston Branch.
Tipton Branch.
Dundalk Newry and Greenore Railway.
Heaton Norris and Guide Bridge Railway.
Middlewood Junction.
Mold and Tryddyn Railway.
Nottingham Railway and Station.
Prestatyn and Cwm Railway.
Roade Northampton and Rugby Railway.
Speke Curve.
St. Thomas' Parish Dublin.
Mucking Parish, Corringham Parish, Fobbing Parish } County of Essex.

Joint Lines.

Manchester South Junction and Altrincham.
Portpatrick and Wigtownshire.

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