CHAPTER xxxii.

An Act to confer additional powers upon the Midland Railway Company and upon the Norfolk and Suffolk Joint Railways Committee and upon the Midland and Great Northern Railways Joint Committee for the construction of works and the acquisition of lands and for other purposes. [30th June 1903.] A.D. 1903.

WHEREAS it is expedient that the Midland Railway Company (in this Act called "the Company") should be empowered to construct and maintain the railways and widenings of railways and other works and to exercise the other powers in this Act mentioned and also to acquire retain hold and use additional lands for the purposes of this Act and for extending their station siding warehouse coal wharf depôt mineral goods and other accommodation and for other purposes connected with their undertaking:

And whereas it is expedient that the Norfolk and Suffolk Joint Railways Committee (in this Act called "the Norfolk and Suffolk Committee") should be empowered to acquire the lands in this Act mentioned in that behalf:

And whereas it is expedient that the Midland and Great Northern Railways Joint Committee (in this Act called "the Midland and Great Northern Committee") should be empowered to acquire the lands in this Act mentioned in that behalf:

And whereas plans and sections showing the lines and levels of the railways and widenings of railways and other works by this Act authorised and plans showing the lands required or which may be taken for the purposes or under the powers of this Act and also books of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were duly deposited with the clerks of the peace for the several counties and riding within which the said

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railways and widenings of railways and other works will be made or are situate and the said lands are situate and those plans sections and books of reference are in this Act referred to as the deposited plans sections and books of reference respectively:

And whereas it is expedient that the time now limited by the Midland Railway Act 1900 for the compulsory purchase of lands for and for the construction of the new road in connection with the Dewsbury Goods Branch by that Act authorised should be extended as provided by this Act:

And whereas it is expedient that the time now limited by the Midland Railway Act 1899 for the completion of the Cromer and Mundesley Railway authorised by the Midland Railway Act 1896 should be extended and that the powers for the compulsory purchase of such of the lands required for the purposes of the said railway as have not been already acquired should be revived and extended as provided by this Act:

And whereas it is expedient that the time limited by the Midland Railway Act 1900 for the compulsory purchase of certain lands by that Act authorised to be acquired by the Midland and Great Northern Committee should be extended as provided by this Act:

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

And whereas it is expedient that the Company should be authorised to contribute to the funds of the Midland Railway Friendly Society and that provision should be made as contained in this Act with reference thereto:

And whereas it is expedient that some of the powers and provisions of existing Acts relating to the Company should be amended and that further powers should be conferred upon the Company as provided by this Act:

And whereas it is expedient that the Company should be empowered to raise additional capital for the purposes of the railways and other works by this Act authorised and for other purposes of this Act and also for the making and enlargement of stations sidings warehouses engine-sheds workshops coal wharves depôts mineral goods and other works and conveniences for the accommodation of the traffic on their railways and for completing the purchase of lands and buildings for any of the above-mentioned purposes and for providing additional plant and rolling stock block

and interlocking signals and for the general purposes of their undertaking:

And whereas it is expedient that the Great Northern and Great Eastern Railway Companies and the Midland and Great Northern and Norfolk and Suffolk Committees should respectively be empowered to apply their funds to the purposes of this Act in which they are respectively interested:

And whereas the objects 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited for all purposes as the Midland Railway Act 1903.

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:

Part I. (relating to the 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 transfer or transmission of shares;

The borrowing of money by the Company on mortgage or bond; and

The conversion of the borrowed money into capital:

Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts.

Interpretation.

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

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

The expression "the widenings" means the widenings of railways by this Act authorised;

The expression "the friendly society" means the Midland Railway Friendly Society.

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Protection of gas and water mains of local authorities.

4. The provisions of sections 18 to 23 of the Railways Clauses Consolidation Act 1845 shall for the purposes of this Act extend and apply to the water and gas mains pipes and apparatus of any local authority and shall be construed as if "local authority" were mentioned in those sections in addition to "company" or "society" Provided that any penalties recovered under section 23 shall be appropriated to that fund of the local authority to which their revenues in respect of water or gas (as the case may be) are appropriated.

Power to Company to make and widen railways.

5. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections thereof respectively the new railways and widenings of railways hereinafter described with all proper approaches stations sidings works and conveniences connected therewith and may enter upon take and use such of the lands delineated on those plans and described in the deposited books of reference relating thereto respectively as may be required for those purposes.

The railways and widenings and works hereinbefore referred to and authorised by this Act to be made by the Company are—

A railway 6 furlongs and 4 chains in length (to be called "the Dewsbury Goods Branch Deviation") wholly situate in the parish and urban district of Thornhill in the west riding of the county of York commencing by a junction with Railway No. 4 authorised by the Midland Railway (West Riding Lines) Act 1898 and terminating at a point at or near the south-west corner of the football ground numbered 47 in the said parish and urban district on the plans deposited for the purposes of the Midland Railway Act 1900 with the clerk of the peace for the west riding of the county of York:

A railway 3 furlongs 6 chains and 65 links in length (to be called "the Miller's Dale Loop") situate wholly in the county of Derby commencing in the parish of Taddington by a junction with the Company's railway from Ambergate to Manchester at a point 19 chains or thereabouts measured in an easterly direction from the eastern end of the platform at Miller's Dale Station and terminating in the parish of Wormhill by a junction with the same railway at a point 9 chains or thereabouts measured in a westerly direction from the western end of the platform at the said station:

A widening 4 miles 6 furlongs and 5 chains in length of the Company's railway from Leeds to Bradford (to be called "the Armley and Calverley Widening") situate wholly in the west riding of the county of York commencing in the parish of Armley in the city and county borough of Leeds at a point 4 chains or thereabouts measured in a south-easterly direction from the south-east end of the platform at Armley Station on the said railway and terminating in the parish and urban district of Calverley at a point 36 chains or thereabouts measured in a north-westerly direction from the north-west end of the platform at Calverley and Rodley Station on the said railway:

Two widenings of the Company's railway from Syston to Peterborough (to be called "the Melton and Saxby Widenings") wholly situate in the county of Leicester (viz.):—

No. 1 5 furlongs in length commencing in the parish and urban district of Melton Mowbray at or near the bridge carrying the public road over the said railway at the east end of Melton Mowbray Station and terminating in the parish of Burton Lazars at a point 50 chains or thereabouts east of the said bridge;

No. 2 3 miles and 2 furlongs in length commencing at the said last-mentioned point and terminating in the parish of Saxby in the rural district of Melton Mowbray at a point 9 chains or thereabouts measured in a south-easterly direction from the booking office of Saxby Station.

Sanctioning constructed railway.

6. The maintenance of the railway next hereinafter mentioned and the sidings and works connected therewith is hereby sanctioned and the said railway shall be deemed to have been lawfully constructed and the Company may use and hold the lands required for the purposes of the said railway.

The railway referred to in this section is—

A railway 7 furlongs and 8 chains in length (called "the Oxcroft Colliery Branch") situate wholly in the county of Derby commencing in the parish of Staveley by a junction with the Company's Clowne Branch at a point thereon 20 chains or thereabouts measured in a south-westerly direction from the bridge carrying the public road from Woodthorpe to Bolsover over the said branch and terminating in the parish and urban district of Bolsover at or near the south end of the screens of the Oxcroft Colliery.

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Rates and charges for railways and widenings.

7. The railways and widenings by this Act authorised and sanctioned shall for the purposes of maximum rates and charges for merchandise traffic (including perishable merchandise by passenger train) be part of the railway of the Company as if the same had been part of the Midland Railway at the date of the passing of the Midland Railway Company (Rates and Charges) Order Confirmation Act 1891 and shall for all other purposes be part of the undertaking of the Company as authorised by the Midland Railway Consolidation Act 1844.

Inclination of roads.

8. In altering for the purposes of this Act the roads next hereinafter mentioned the Company may make the same of any inclinations not steeper than the inclinations hereinafter mentioned in connection therewith respectively (that is to say) :—

Nos. on deposited Plans.	Parish.	Description of Road.	Intended Inclination.
	Armley and Calverley Widening.		
6	Leeds (City) - - -	Public (Canal Road)	1 in 19
	Melton and Saxby Widening No. 2.		
10	Wyfordby-with-Brentingby -	Public - - -	1 in 19
38	Wyfordby-with-Brentingby -	Public - - -	1 in 18
5 and 6	Freeby - - - -	Public - - -	1 in 16

Height and span of bridges.

9. The Company may make the arch of the bridge for carrying the railway over the road next hereinafter mentioned of any height and span not less than the height and span hereinafter mentioned in connection therewith respectively (that is to say) :—

No. on deposited Plans.	Parish.	Description of Road.	Height.	Span.
		Miller's Dale Loop.		
8	Wormhill - - -	Public - -	13 feet	25 feet

Width of roadways over bridges.

10. 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 hereinafter mentioned in connection therewith respectively (that is to say) :—

Nos. on deposited Plans.	Parish.	Description of Roadway.	Width of Roadway.
	MELTON AND SAXBY WIDENING No. 2.		
14	Burton Lazars - - -	Public - -	18 feet.
10	Wyfordby-with-Brentingby -	Public - - -	18 feet.
38	Wyfordby-with-Brentingby -	Public - -	18 feet.
5 and 6	Freeby - - - -	Public - - -	18 feet.

Power to divert roads.

11. The Company may divert the public highways referred to in the next following table in the manner shown upon the deposited plans and sections and when 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 (that is to say) :—

Railway.	Parish.	No. of Road on deposited Plans.
Melton and Saxby Widening No. 2	Wyfordby-with-Brentingby -	10
Melton and Saxby Widening No. 2	Wyfordby-with-Brentingby -	38

And when and so soon as such portion of 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 portion of road stopped up as far as the same is bounded on both sides by lands of the Company.

For protection of Thornhill Urban District Council.

12. The following provisions shall have effect for the protection of the urban district council of Thornhill (in this section called "the council") (that is to say) :—

Nothing in this Act contained shall affect the respective powers and obligations of the Company and the council with respect to the bridge to be constructed over the River Calder leading from Mill Street West to near the Anchor

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Inn at Watergate in the borough of Dewsbury and the continuation of Mill Street West in connection therewith:

Notwithstanding anything in this Act or on the deposited plans and sections the bridge to be constructed by the Company under Savile Road for carrying the road or street over a portion of the Company's railway to be constructed under this Act shall be so made as not to lessen the present clear width of such road or street including the footway or footways and shall not be of less width between the parapets thereof than fifty-three feet six inches measured on the square and such bridge shall be so covered or fenced as to prevent as far as may be reasonably practicable the escape of steam smoke or any offensive effluvia into such road or street:

The Company shall not commence to execute any work in connection with the construction of the said bridge until plans shall have been delivered to the council:

The Company shall not execute or commence the erection of such bridge as aforesaid until they shall have given to the council twenty-one days' notice in writing of their intention to commence the same by leaving such notice with the clerk of the council and the Company shall comply with and conform to all reasonable directions and regulations of the council in the execution of such bridge and the works connected therewith so far as the same affect the roadway and shall save harmless the council against all and every expense to be occasioned thereby and all such work shall be done to the reasonable satisfaction of the engineer of the council:

The Company shall if necessary make and during the construction of their works under Savile Road maintain to the satisfaction of the surveyor of the council a temporary roadway footways bridges works and conveniences the same to be well and efficiently lighted and watched and every precaution taken for the due and proper protection of the public:

The said bridge and other works shall be constructed and maintained by the Company in such a manner as at all times to support not only the ordinary traffic and any other exceptional traffic lawfully using the streets within the district of the council but also any steam roller that the council may be using for repairing the streets or roadways and the Company shall indemnify and make good

to the council all costs and expenses that the council may incur or be put to by reason of any defect or insufficiency in strength of such bridge or works or any neglect to properly and efficiently maintain the same as aforesaid or otherwise by reason of the said railways and works :

Whenever the Company shall break up or disturb any part of the soil or surface of the said road or footways in the district of the council for any of the purposes of this Act the Company shall within twelve months after any such road or footways shall have been broken up as aforesaid complete and finish the works of the Company and shall make good repair and restore such road or footways to the satisfaction of the surveyor of the council and shall pave with granite cubes of such size and quality as shall be approved by the said surveyor such carriageway under which the railway shall be constructed at the part where it passes under the same and shall kerb and flag the footways on each side of such road for the same distance with such materials as shall be approved by the surveyor of the council It shall be lawful for the council or their surveyor at all times during the construction or repair of the said works over or under any such road or footways to have access to such works and to cause any part of such road or footways to be enclosed watched and lighted in such manner as to them or him may seem necessary and the Company shall also defray the expense incurred by the council in maintaining and keeping in repair such road and footways for one year next after the same shall have been so restored as aforesaid and every expense occasioned under this subsection or incidental thereto shall be a debt due from the Company to the council :

The Company shall not deposit any subsoil or materials anywhere within the district of the council and outside their works so as to cause any nuisance or obstruction to any persons using the said road or footways :

The Company shall when they commence the work of passing under Savile Road with their railway pay to the council the sum of three hundred pounds towards the cost of constructing a sewer on the south side of the said railway in Savile Road and the council shall at the request and cost of the Company release to them the right to construct a sewer under or across the Company's goods yard conferred by section 9 of the Midland Railway Act 1900 :

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If any difference shall arise with respect to any matter under this section between the Company and the council or their respective engineers the matter in difference shall be referred to and settled by an arbitrator to be appointed on the application of either party by the Board of Trade.

For protection of Leeds Corporation.

13. The following provisions for the protection and benefit of the lord mayor aldermen and citizens of the city of Leeds (in this section called "the corporation") shall (unless otherwise agreed in writing between the corporation and the Company) have effect with respect to the railway widening and works within the said city by this Act authorised (that is to say):—

(1) In connection with the carrying out of the works for the Armley and Calverley widening the Company shall widen Canal Road Armley under which the Company's railway passes to the extent and as shown by the colour red on the plan signed in duplicate by John Allen McDonald on behalf of the Company and Thomas Hewson on behalf of the corporation the measurements thereon marked to be taken from the south-easterly face of the north-westerly parapet of the said bridge:

(2) In constructing the said railway widening at the point where Bridge Road crosses the railway of the Company the Company shall set back their boundary fences and widen the road so that the lands coloured yellow and blue on the plan signed in duplicate by John Allen McDonald on behalf of the Company and Thomas Hewson on behalf of the corporation shall form and be part of the road which shall be widened to this extent and the Company shall also grant to the corporation over in upon or under the lands edged green on the said plan such rights easements and privileges (including the building thereon of abutments) as shall be necessary to enable the corporation to widen the bridge carrying Bridge Road over the River Aire to the width of fifty feet as indicated on the said plan and the Company if and so far as they shall acquire any lands abutting on either Bramley Hill or Wyther Lane and shall demolish the buildings thereon shall also dedicate to the public as part of Bramley Hill and Wyther Lane respectively so much of such lands as shall be necessary to widen Bramley Hill and Wyther Lane respectively to a width of not less than forty-two feet:

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(3) The Company shall on demand pay to the corporation all expenses incurred by them in altering relaying making good and maintaining any sewers and drains gas water or electric mains and pipes or tramways or tramway equipment interfered with or affected by the works by this Act authorised:

(4) The Company shall not break up any street or tramway or interfere with any sewer drain or watercourse or any gas water or electric main pipe or apparatus of the corporation until they shall have given to the city engineer of the city seven clear days' notice in writing of their intention to commence the intended works accompanied by plans and sections and other necessary particulars showing the works proposed to be executed by the Company so far as they affect the streets tramways sewers drains watercourses gas water and electric mains and apparatus proposed to be interfered with:

(5) Where the surface of any street has been interfered with or disturbed by the Company in constructing the works or exercising the powers by this Act authorised or conferred the Company shall well and sufficiently and to the satisfaction of the corporation restore the surface of the street so interfered with or disturbed and shall keep the same in efficient repair for one year from such restoration:

(6) In case of any difference arising between the Company and the corporation with respect to any of the matters in this section contained such difference shall be settled and determined by an engineer to be appointed in default of agreement and on the application of either party by the President of the Institution of Civil Engineers.

For protection of Kirkstall estate.

14. For the protection of Violet Evelyn Cecilia Graham Harrison and Beatrix Margaret Irene Graham their heirs and assigns (hereinafter referred to as "the owners") the following provisions shall unless otherwise agreed between the owners and the Company have effect (that is to say):—

(1) Notwithstanding anything in this Act contained or shown on the deposited plans—

(A) The Company shall not enter upon take or use any portion of the properties numbered respectively on the deposited plans 34 and 36 in the city of Leeds which is situate within sixty feet of the southernmost boundary of those properties;

(B) The Company shall not except in so far as may be necessary for the purpose of constructing the works

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by this Act authorised interfere with the spring of water situate in or under the property numbered 69 on the said plans in the said city and if for such purpose any interference with the said spring shall be necessary the Company shall if such works shall permit make provision for conveying the water of the said spring to a point on the land of the owners on the north-east side of the Armley and Calverley widening by this Act authorised:

(2) Before commencing the construction of any works at any level crossings over the railway of the Company between Kirkstall Road Bridge and the properties numbered respectively on the deposited plans 74 and 75 in the said city or interfering with such level crossings the Company shall construct in such situation between the said points as may be agreed or in case of difference settled by arbitration two bridges over the said railway as proposed to be widened under the powers of this Act with proper approaches thereto and the owners shall not be entitled to any other accommodation works for the purpose of making good the access across the railway between those points Each such bridge shall be of a width of not less than twelve feet between the parapets measured on the square and the approaches thereto shall be of a like width and shall have a gradient not steeper than one in sixteen and the Company shall form make up and complete a roadway of not less than twelve feet in width over each of the said bridges and the respective approaches thereto and shall after the completion of such bridges and approaches maintain the same and on the completion of such bridges the existing level crossings over the said railway between the said points may be discontinued:

(3) If any difference shall arise between the Company and the owners respecting the provisions aforesaid or any of them such difference shall be settled by an arbitrator to be agreed between the parties or in case of difference to be appointed on the application of either party by the President of the Institution of Civil Engineers.

For protection of Leeds and Liverpool Canal Company.

15. Nothing in this Act contained shall prejudice or affect a certain agreement dated the ninth day of April one thousand nine hundred and three made between the Leeds and Liverpool Canal Company of the one part and the Company of the other part in regard to the widening of the railway bridge over the canal in the

parish of Armley and the acquisition of lands situate at or near to the Forge Locks Bramley in the city of Leeds. A.D. 1903.

Period for completion of railways.

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

Imposing penalty unless railways opened.

17. If the Company fail within the period limited by this Act to complete the railways the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the same is completed and opened for public traffic or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the uncompleted railway or railways.

The said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in the third section of the Railway and Canal Traffic Act 1854.

Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as hereinafter provided.

But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the uncompleted railway or railways by unforeseen accident or circumstances beyond their control Provided that want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty.

18. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or railways in respect of which the penalty has been incurred or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate

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compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit.

If no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent or the railway or railways in respect of which the penalty has been incurred or any part thereof has been abandoned be paid or transferred to such receiver or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or retransferred to the Company.

Abandonment of authorised Dewsbury Goods Branch.

19. The Company shall abandon the construction of the Dewsbury Goods Branch authorised by the Midland Railway Act 1900.

Compensation for damage to land by entry &c. for purposes of railway abandoned.

20. The abandonment by the Company under the authority of this Act of any portion of any railway or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Midland Railway Act 1900.

Compensation to be made in respect of portions of railways abandoned.

21. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to any portions of the railway or works authorised to be abandoned by this Act the Company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or

notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Power to acquire lands for general purposes.

22. Subject to the provisions of this Act the Company in addition to the other lands which they are by this Act authorised to acquire may enter upon take use and appropriate for the purposes of extending their stations sidings warehouses engine-sheds workshops coal wharves depôts mineral goods and other works and conveniences for the accommodation of their traffic and for providing accommodation for persons belonging to the labouring classes who may be displaced under the powers of this Act and for other purposes connected with their undertaking all or any of the lands houses and buildings following delineated on the deposited plans thereof and described in the deposited books of reference relating thereto and may exercise the powers hereinafter mentioned (that is to say) :—

In the west riding of the county of York—

Lands in the parish of Dent situate on the east side of and adjoining the Company's railway from Settle to Carlisle and north of and near to the Dent Station thereon :

Lands in the parish of Otterburn in the rural district of Settle lying on both sides of and adjoining the Company's railway from Hellifield to Skipton 89 chains or thereabouts north of the Bell Busk Station thereon.

In the county of Chester—

Lands in the parish and county borough of Stockport and in the parish of Cheadle in the urban district of Cheadle and Gatley lying on the south side of and adjoining the railway of the Cheshire Lines Committee from Liverpool to Stockport between the Cheadle Station thereon and the Stockport Corporation Sewage Works.

In the county of Nottingham—

Lands in the parish and urban district of Beeston lying on both sides of and adjoining the Company's railway from Derby to Nottingham near the Beeston Station thereon.

In the county of Rutland—

Lands in the parish of Ashwell in the rural district of Oakham lying on the south-west side of and adjoining the Company's railway from Syston to Peterborough near the Ashwell Station thereon :

Lands in the parish of Oakham lying on the east side of and adjoining the Company's railway from Syston to Peterborough and north of the cemetery near Oakham Station.

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In the county of Northampton and the Soke of Peterborough—

Lands in the parish of Peterborough Within in the city and borough of Peterborough lying on the south-west side of and adjoining the Company's railway from Syston to Peterborough near the Company's waggon works and Thorpe Road.

In the county of Leicester—

Lands in the parish and urban district of Ashby-de-la-Zouch lying on the north side of and adjoining the Company's railway from Burton to Melbourne at and near its junction with the Company's railway from Burton to Leicester.

In the county of Warwick—

Lands in the parish of Bolehall and Glascote lying on the east side of and adjoining the Company's railway from Birmingham to Derby and south of and near to the Tamworth Station thereon:

Lands in the parish of Nuneaton in the urban district of Nuneaton and Chilvers Coton lying on the south side of and adjoining the Company's railway from Whitacre to Nuneaton and west of and near to the Stockingford Station thereon:

Lands in the parish of Aston in the city and county borough of Birmingham lying on the north-west side of and adjoining the Company's railway from Birmingham to Gloucester and on the north side of and adjoining Athole Street.

In the county of Gloucester—

Lands in the parish city and county borough of Gloucester lying on the south side of and adjoining the Company's railway from Birmingham to Bristol and on the north-west side of and adjoining Millbrook Street.

Power to Midland and Great Northern Committee to acquire additional lands.

23. Subject to the provisions of this Act the Midland and Great Northern Committee may enter upon take use and appropriate for the purposes of or connected with their undertaking the lands following or some of them delineated on the deposited plans and described in the deposited books of reference relating thereto (that is to say):—

In the county of Norfolk—

Lands in the parish of Caister next Yarmouth adjoining and on the east side of the railway of the Committee from Melton Constable to Great Yarmouth and north of Dinah's Gap:

Lands in the parish and county borough of Great Yarmouth lying on the west side of and adjoining the Committee's Union Line from Yarmouth Beach Station to Fishwharf and between the roads known as Garrison Walk and Rampart Row.

Power to Norfolk and Suffolk Committee to acquire additional lands.

24. Subject to the provisions of this Act the Norfolk and Suffolk Committee may enter upon take use and appropriate for the purposes of or connected with their undertaking the lands following or some of them delineated on the deposited plans and described in the deposited books of reference relating thereto (that is to say):—

In the county of Norfolk—

Lands in the parish of Mundesley on the east side of and adjoining the Committee's railway station and property at Mundesley.

Period for compulsory purchase of lands.

25. The powers granted by this Act for the compulsory purchase of lands shall cease after the expiration of three years from the passing of this Act.

Power to owners to grant easements &c.

26. 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 or the Midland and Great Northern Committee or the Norfolk and Suffolk Committee (as the case may be) who are by this Act authorised to acquire any lands any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges 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.

27. And whereas in the construction of the railways widenings 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 portions less than the whole 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 Schedule to this Act and whereof a portion only is required for the purposes of the Company or each or any of them are hereinafter included in the term "the owner" and the said

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properties are hereinafter 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 arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter 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 portion less than the whole (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:

(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.

Extension of time for purchase of lands &c. by Company.

28. The period limited by the Midland Railway Act 1900 for the compulsory purchase of lands for and for the completion of the new road in connection with the Dewsbury Goods Branch by that Act authorised is hereby extended for a period of three years from the thirtieth day of July one thousand nine hundred and three.

Revival of powers for compulsory purchase of lands for Cromer and Mundesley Railway.

29. The powers for the compulsory purchase of such of the lands required for the purposes of the Cromer and Mundesley Railway authorised by the Midland Railway Act 1896 as have not been already acquired as extended by the Midland Railway Act 1899 are hereby revived and extended and may be exercised during a period of two years from the thirteenth day of July one thousand nine hundred and two and after the expiration of that period shall cease.

Extension of time for completion of

30. The time limited by the Midland Railway Act 1896 as extended by the Midland Railway Act 1899 for the completion of

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Cromer and Mundesley Railway.

the Cromer and Mundesley Railway authorised by the said Act of 1896 is hereby further extended for a period of three years from the seventh day of August one thousand nine hundred and four and sections 31 and 32 of the said Act of 1896 shall be read and construed as if the time limited by this Act for the completion of the said railway had been the time limited by the Act of 1896 for the completion thereof.

If the said railway be not completed within the period limited by this Act with reference thereto then on the expiration of that period the powers by the said Act of 1896 as extended by the said Act of 1899 and this Act respectively granted for making and completing the same shall cease except as to so much thereof respectively as shall be then completed.

Extension of time for purchase of lands by Midland and Great Northern Committee.

31. The time limited by the Midland Railway Act 1900 for the compulsory purchase by the Midland and Great Northern Committee of the following lands (that is to say):—

The lands in the parish of Sheringham; and

The lands in the parishes of Great Yarmouth and Gorleston south of and adjoining Breydon Water;

is hereby extended for a period of two years from the thirtieth day of July one thousand nine hundred and three.

Restrictions on displacing persons of labouring class.

32.—(1) The Company (which expression shall in this section be deemed to include the Midland and Great Northern Committee and the Norfolk and Suffolk Committee respectively) shall not under the powers of this Act or under the powers of any former Act revived or extended by this Act purchase or acquire in any borough or other urban district and elsewhere than in any borough or urban district any parish ten or more houses which on the fifteenth day of December next before the passing of this Act or of the former Act by which the purchase or acquisition was originally authorised were or have been since that day or shall hereafter be occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

(A) Shall have obtained the approval 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 Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such

houses or to the place of employment of such persons and to all the circumstances of the case; and A.D. 1903.

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

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

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

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

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

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

(6) For the purpose of carrying out any scheme under this section 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 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

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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 Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as they may see fit.

(8) Notwithstanding anything to the contrary in section 157 of the Public Health Act 1875 the provisions of that section and of sections 155 and 156 of the same Act shall apply to buildings erected or provided by the Company for the purpose of any scheme under this section.

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

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

(11) Any houses purchased or acquired by the Company for or in connection with any of the purposes of this Act whether

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

(12) For the purposes of this section—

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

The expression "house" means any house or part of a house occupied as a separate dwelling.

Extending time for sale of certain superfluous lands.

33. The Company may 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 retain and hold any lands belonging to them which have not yet been applied to the purposes of the Company or sold or disposed of by them 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 or as the Company may be of opinion that they may require for the purposes of stations sidings or other conveniences for the period of ten years from the passing of this Act and as regards the other of the said lands for the period of two years from the passing of this Act.

But the Company shall at the expiration of such respective periods of ten years and two years sell and dispose of all such parts of those lands respectively as shall not then have been

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applied to or are not then required for the purposes of their undertaking as superfluous lands.

As to Midland Railway Friendly Society.

34. The Company may so far as may be determined by a resolution of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose—

(1) Contribute to the funds of the Midland Railway Friendly Society; and

(2) By arrangement with the managing committee of that society receive at interest any of its surplus funds not required for current payments for benefits or expenses:

And the trustees of the said society may if so authorised by a rule of the society registered by the Registrar of Friendly Societies notwithstanding anything contained in section 44 of the Friendly Societies Act 1896 invest on deposit with the Company at interest any of its surplus funds as aforesaid.

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

35. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise by the creation and issue of new preferred converted ordinary stock and new deferred converted ordinary stock or of Midland Railway two and a half per centum perpetual preference stock such sums of money as they shall think necessary not exceeding nine hundred and sixty thousand pounds exclusive of the other moneys which they are or may be by any other Act or Acts of Parliament authorised to raise If and so far as any such moneys are raised by the creation and issue of new preferred and new deferred converted ordinary stock the Company shall raise the same by the creation and issue of the said stocks in equal proportions And any preference stock created under the powers of this section shall be deemed to be part of and shall rank pari passu with and shall confer the like privileges and shall bear the same dividend and be subject to the like restrictions as the existing Midland Railway two and a half per centum perpetual preference stock.

Qualifications of new stock.

36. Except as by or under the powers of this Act otherwise provided all new preferred and new deferred converted ordinary stock issued under the powers of this Act shall in proportion to the amount of stock held by the same person at the same time entitle the respective holders of such new stock to the same dividends and profits and confer on them the like qualifications and the like rights of voting as the like amount paid up on the existing stock of the Company other than and except stock to which any guaranteed or preferential dividend of a fixed amount without further

participation in the profits of the Company shall have been assigned. A.D. 1903.

Power to borrow.

37. The Company may subject to the provisions of this Act borrow on mortgage of the undertaking or raise by the creation and issue of debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of section 55 of the Midland Railway Act 1894 any sum or sums not exceeding in the whole one-third part of the amount of the additional capital by this Act authorised to be raised and at the time actually issued by stock.

But no part thereof shall be borrowed until the whole of the capital stock at the time issued shall have been fully 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 such stock has been issued and accepted and fully paid up and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid in reference to such capital has been given which certificate shall be sufficient evidence thereof.

Provisions with respect to appointment of a receiver.

38. 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 or principal and interest shall be and the same is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such provision.

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.

Existing mortgages to have priority.

39. All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament passed before the passing of this Act and which shall be subsisting at the time of the passing thereof shall during the continuance of such mortgages and bonds and subject to the provisions of the Acts under which such mortgages and bonds were respectively granted have priority over any mortgages to be granted by virtue of this Act And

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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.

40. All moneys raised under this Act whether by stock debenture stock or borrowing shall be applied only to the purposes of this Act and of any other Act of the present session of Parliament and to the general purposes of the undertaking of the Company being in each case purposes to which capital is properly applicable.

Company may apply corporate funds.

41. The Company may apply for or towards all or any of the purposes of this Act to which capital is properly applicable any sums of money which they have 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.

Power to other companies and committees to apply funds.

42. The Midland and Great Northern Committee the Norfolk and Suffolk Committee the Great Northern Railway Company and the Great Eastern Railway Company respectively may apply to the purposes of this Act in which they are respectively interested and to which capital is properly applicable any sums of money which they have 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.

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

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

44. The Company shall not out of any money by this Act authorised to be raised 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.

Provision as to general Railway Acts.

45. Nothing in this Act contained shall exempt any of the companies or committees upon whom powers are conferred by this Act or their respective railways from the provisions of any general

Act relating to railways or the better and more impartial audit of the accounts of railway companies passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by the said companies or committees respectively.

Costs of Act.

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

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The SCHEDULE referred to in the foregoing Act.

Describing Properties of which Parts only are required to be taken by the Company.

Nos. on deposited Plans.	Parish or other Area.	Description of Property.
	Dewsbury Goods Branch Deviation.	
19	Urban district of Thornhill	Field and shed.
21	Ditto	Land and outbuildings.
33	Ditto	Garden and shed.
34	Ditto	Garden and greenhouses.
35	Ditto	Gardens.
36	Ditto	Garden and greenhouses.
37	Ditto	Roadway.
39	Ditto	Gardens.
40	Ditto	Gardens greenhouse and sheds.
	Miller's Dale Loop.	
12	Wormhill	Tip offices stores weighing machine and sidings.
	Armley and Calverley Widening.	
11	Leeds	Garden and outbuildings.
12	Ditto	Field and sheds.
68	Ditto	Market garden and occupation road.
69	Ditto	Market garden and occupation road.
70	Ditto	Market garden and occupation road.
71	Ditto	Market garden and occupation road.
72	Ditto	Market garden occupation road and ditch.
73	Ditto	Market garden occupation road and ditch.
74	Ditto	Market garden and occupation road.
75	Ditto	Market garden and occupation road.
79	Ditto	Land and occupation road.
79A	Ditto	Bridge siding and occupation road.
80	Ditto	Land and sidings.
85	Ditto	Road.
86	Ditto	House garden and glue works.
87	Ditto	Field.
88	Ditto	Field.
94	Ditto	Garden ground shed and telephone wires.
95	Ditto	Roadway.
8	Horsforth	Orchard fowl-runs and pigstyes.
9	Ditto	Garden and sheds.

Nos. on deposited Plans.	Parish or other Area.	Description of Property.
	Melton and Saxby Widening No. 1.	
7A	Melton Mowbray	Garden ground and summer-house.
10B	Ditto	Gardens and drain.
11	Ditto	Field.
12B	Ditto	Field ditch and drain.
14	Ditto	Mill tail.
16	Ditto	Garden ground.
17	Ditto	Field and part of River Eye.
18	Ditto	Pumping station yard and fowl-house.
19	Ditto	Field and roadway.
20	Ditto	Field shed and part of River Eye.
21	Ditto	Sluice.
22	Ditto	Field and part of River Eye.
23	Ditto	Land and part of River Eye.
25	Ditto	Field public footpath and part of River Eye.
26	Ditto	Field and part of River Eye.
2	Burton Lazars	Plantation footpath and part of River Eye.
	Norfolk and Suffolk Joint Railways Committee.	
	Additional Lands at Mundesley.	
22	Mundesley	Garden.
23	Ditto	Drying ground.
24	Ditto	Field.

Printed by Eyre and Spottiswoode,
FOR
T. Digby Pigott, Esq., C.B., the King's Printer of Acts of Parliament.

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