CHAPTER cxi.

An Act for conferring additional powers on the Midland Railway Company for the construction of works; for the raising of capital; and for other purposes in relation to their own undertaking and the undertakings of other companies. [29th June 1875.] A.D. 1875.

(New railways and alterations.)

WHEREAS it is expedient that the Midland Railway Company (in this Act called "the Company") should be empowered to construct the new railways in this Act mentioned, and to alter certain of their authorised railways:

(New roads, &c. and additional lands.)

And whereas it is expedient that the Company should be empowered to make the new roads and footpaths in this Act mentioned in substitution for portions of the existing roads and footpaths proposed to be stopped up, and also to acquire additional lands for extending their stations, sidings, warehouses, engine sheds, workshops, coal depôts, 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 the Company's undertaking:

(Company and Great Western additional lands.)

And whereas under or by virtue of the Great Western and Midland Railway Companies (Clifton and Bristol) Act, 1871, the Company and the Great Western Railway Company are joint owners of or otherwise interested in certain railways communicating with the Bristol Port and Pier Railway, and it is expedient that the said two companies should be empowered to acquire certain lands lying between that railway and the Bristol Port and Channel Dock:

(Deposit of plans.)

And whereas plans and sections showing the lines and levels of the 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 containing the names of the owners and lessees, or reputed owners and

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lessees, and of the occupiers of the said lands, were duly deposited with the clerks of the peace for the several counties within which the said railways and works will be made and those 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 :

(Extension of time.) (Settle and Carlisle.)

And whereas it is expedient that the time limited by the Midland Railway (Additional Powers) Act, 1873, section 34, for the construction of the railways and works authorised by the Midland Railway (Settle to Carlisle) Act, 1866, should be extended :

(Superfluous lands.)

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

(Birmingham West Suburban Railway Company. Vesting.)

And whereas by the Birmingham West Suburban Railway Act, 1871 (in this Act called the Suburban Act of 1871), the Birmingham West Suburban Railway Company (in this Act called the Suburban Company) was incorporated, with power to construct railways between Albion Wharf, Birmingham, and the Midland Railway at Kings Norton, and by the same Act an agreement between the Suburban Company and the Company for the working by the Company of the undertaking of the Suburban Company (and which agreement was set out in a schedule to that Act) was confirmed and made binding on the Suburban Company and the Company, and the two companies were empowered to enter into other agreements as therein provided :

And whereas by the Birmingham West Suburban Railway Act, 1873 (in this Act called the Suburban Act of 1873), the Suburban Company was empowered to abandon parts of, and to make some alterations and diversions in, their authorised works :

And whereas by the Suburban Act of 1871 the Suburban Company was empowered to raise the sum of one hundred thousand pounds by the creation of shares, and the sum of thirty-three thousand pounds by borrowing on mortgage, and by the Suburban Act of 1873 the Suburban Company was empowered to raise the further sum of sixty-five thousand pounds by the issue of new ordinary shares or stock, or new preference shares or stock, or wholly or partially by any one or more of those modes respectively, and the further sum of twenty-one thousand pounds by mortgage, and by the last-mentioned Act the Suburban Company was authorised to create and issue under that Act debenture stock in respect of the moneys authorised to be borrowed by the said Acts of 1871 and 1873 :

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And whereas the railways authorised by the Suburban Acts of 1871 and 1873 could be more conveniently and economically worked by the Company as part of their undertaking, and it is expedient that the undertaking of the Suburban Company should be vested in the Company, and that the Suburban Company should be dissolved:

(Additional capital.)

And whereas it is expedient that the Company should be empowered to raise additional capital for the purposes of the railways and works by this Act authorised, and for the other objects sought to be effected thereby, and also for the making and enlargement of stations, sidings, warehouses, engine sheds, workshops, coal depôts, and other works and conveniences for the accommodation of the increased and increasing traffic on their railway, 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:

(Amendment of Acts.)

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

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 Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as The Midland Railway (Additional Powers) Act, 1875.

Provisions of certain general Acts incorporated.

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 Consolidation Acts, 1845, 1860, and 1869;

The Railways Clauses Consolidation Act, 1845;

Part I. (relating to the construction of a railway), Part II. (relating to extension of time), and Part V. (relating to amalgamation) of the Railways Clauses Act, 1863;

The provisions of the Companies Clauses Consolidation Act, 1845, with respect to the following matters, namely:

The transfer and transmission of shares;

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The payment of subscriptions and the means of enforcing the payment of calls;
The forfeiture of shares for nonpayment of calls;
The remedies of creditors of the Company against the shareholders;
The borrowing of money by the Company on mortgage or bond;
The conversion of borrowed money into capital;
The consolidation of shares into stock;
The provision to be made for affording access to the special Act by all parties interested; 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 of terms.

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 railway" or "the railways" means the new railways and the alterations of railways by this Act authorised:

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

The expression "parish clerks" and "clerks of the several parishes" in sections seven, eight, and nine of the Railways Clauses Consolidation Act, 1845, shall, with reference to the Company and as regards those parishes or extra-parochial places in which by the standing orders of either House of Parliament plans, sections, and other documents are required to be deposited with the clerk of the vestry of the parish or with the clerk of the district board for the district in which the parish or extra-parochial place is included, mean in the first case the vestry clerks of those parishes, and in the second case the clerks of those district boards respectively.

Power to make railways according to deposited plan.

4. 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, the railways and alterations of railways herein-after described, with all proper stations, sidings, approaches, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on those plans

and described in the deposited books of reference relating thereto as may be required for that purpose.

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

1. The Saint Pancras Connecting Line (2 furlongs 5 chains 35 links in length), situate wholly in the parish of Saint Pancras in the county of Middlesex, commencing by a junction with the Company's lines of railway known as the coal sidings, north of the bridge carrying those sidings over the Old Saint Pancras Road, and terminating on the north side of West Street:

The Company may (in addition to the other lands, houses, and buildings which they are by this Act empowered to take) purchase by compulsion or agreement, and hold for purposes connected with the Saint Pancras Connecting Line, and for other purposes of their undertaking, certain lands, houses, and buildings in the same parish, which are delineated on the deposited plans and described in the deposited books of reference relating thereto, and which are bounded by Skinner Street and Brewer Street on the east, by Elstree Street and Phœnix Street on the north, by Ossulston Street on the west, and by the Euston Road on the south; and may stop up and appropriate to the purposes of their undertaking the sites or portions of the sites of James Street, West Street, Isaac's Place, Northam Square, Northam's Buildings, Phillips' Buildings, North Place, Marson Street, Caroline Place, John's Place, Beall Place, Brill Place, Spann's Place, Stephen's Place, Cottage Place, Chapel Street, Brill Row, Middlesex Street, Phœnix Place, Ann's Place, Suters' Buildings, Old Romney Place, Middlesex Place, Middlesex Passage, Denton's Buildings, and Perry Street, and all or any other streets, courts, alleys, or passages lying within the limits of the land so to be acquired:

Provided always, that the Company shall not stop up or otherwise appropriate any of the before-mentioned streets or roads unless and until they shall have completed the street improvements after mentioned; (that is to say,)

Have extended Stanmore Street to Phœnix Street, and widened Phœnix Street from Brill Row to Brewer Street to a width of not less than fifty feet; and

Widened Skinner Street so as to make it throughout of a width of not less than sixty feet; and in connexion with such widening the Company may narrow the

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footway on the east side of Skinner Street, but not so as to make that footway of a less width than two feet:

Which street improvements shall be done at the expense in all respects of the Company, under the superintendence and to the reasonable satisfaction of the vestry of Saint Pancras. And from and after the completion of the said extension of Stanmore Street, the Company may stop up and appropriate to the purposes of their undertaking the site of Watford Street in the said parish:

2. The Brixton Station Branch (9 chains in length), situate wholly in the parish of Saint Mary Lambeth in the county of Surrey, commencing by a junction with the Metropolitan Extensions Loop Line of the London, Chatham, and Dover Railway at or near the bridge carrying that railway over the Canterbury Road, and terminating in vacant ground west of the said bridge and between the said loop line and the railway constructed under the powers of the London, Chatham, and Dover Railway (New Lines) Act, 1864, and therein distinguished as Railway No. 5:

3. The Royston and Darfield Branch (4 miles 1 furlong 5 chains in length), commencing in the parish of Royston in the west riding of the county of York by a junction with the Company's railway from Derby to Leeds, and terminating in the parish of Darfield in the said west riding by a junction with the same railway:

4. The Burton Connecting Branch (5 furlongs 5 chains in length), situate wholly in the parish of Burton-upon-Trent in the county of Stafford, commencing by a junction with the Burton Extension Railway No. 3 authorised by the Midland Railway (Additional Powers) Act, 1874, at the authorised termination thereof, and terminating by a junction with the Company's Hay Branch north-east of Saint Modwen's Church:

5. The Swadlincote and Woodville Junction (2 miles 7 furlongs 8 chains 50 links in length), commencing in the parish of Church Gresley in the county of Derby by a junction with the Company's Swadlincote Branch, and terminating in the same parish by a junction with the Company's Woodville Branch:

6. The Tibshelf and Blackwell Branch (2 miles 4 chains 50 links in length), commencing in the parish of Tibshelf in the county of Derby by a junction with the Company's Tibshelf and Teversall Branch, and terminating in the parish of

South Normanton in the same county by a junction with the existing railway of the Blackwell Colliery Company, Limited:

7. The Buckland Hollow Branch (1 mile 1 furlong 2 chains in length), commencing in the parish of Duffield in the county of Derby by a junction with the Company's Duffield and Selston Railway, and terminating in the parish of Pentrich in the same county by a junction with the Hartshay Tramway of the Butterley Coal and Iron Company, Limited:

8. The Ashwell Branch (2 miles 1 furlong in length), commencing in the parish of Ashwell in the county of Rutland by a junction with the Company's Syston and Peterborough Railway, and terminating in the parish of Cottesmore in the same county in a field known as Cottesmore Field:

9. The Doe Lea Extension Deviation (2 miles 7 furlongs 3 chains in length), commencing in the parish of Bolsover in the county of Derby by a junction with the Company's Staveley and Doe Lea Branch, and terminating in the parish of Scarcliff in the same county by a junction with the Doe Lea Extension of the Midland Railway authorised by the Midland Railway (Additional Powers) Act, 1873:

10. The Appleby South Junction (3 furlongs 2 chains 40 links in length), situate wholly in the parish of Saint Michael, Appleby, otherwise Bongate, in the county of Westmoreland, commencing by a junction with the Eden Valley Railway of the North-eastern Railway Company, and terminating by a junction with the Railway No. 2 authorised by the Midland Railway (Settle to Carlisle) Act, 1866, now in course of construction:

11. The Hawes Branch Deviation No. 1 (7 furlongs 30 links in length), situate wholly in the township of Hawes in the parish of Aysgarth in the north riding of the county of York, commencing by a junction with the Railway No. 1 authorised by the Midland Railway (Settle to Carlisle) Act, 1866, now in course of construction, and terminating by a junction with the same railway:

12. The Hawes Branch Deviation No. 2 (1 mile 3 furlongs 5 chains in length), situate wholly in the said township of Hawes, commencing by a junction with the said Railway No. 1 authorised by the said Act of 1866, and terminating by a junction with the same railway:

And the said railways, alterations of railways, and works shall for the purposes of tolls and charges, and for all other purposes whatso-

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ever, be part of the undertaking of the Company as if the same had been part of the Midland Railway vested in the Company by the Act (local and personal) 7 & 8 Vict. c. 18., entitled "An Act to "consolidate the North Midland, Midland Counties, and Birming-"ham and Derby Junction Railways," and had formed part of the line of the Midland Railway at the time of the passing of the Act (local and personal) 9 & 10 Vict. c. 326., entitled "An Act to con-"solidate the Bristol and Gloucester and Birmingham and Gloucester "Railway Companies with the Midland Railway Company."

Widths of certain roadways.

5. The Company may make the roadway over the bridges by which the following roads will be carried over the railways of such width between the fences thereof as the Company think fit, not being less than the respective widths herein-after specified; (that is to say,)

No. on Plan.	Parish.	Description of Roadway.	Width of Roadway.
			Feet.
	The Royston and Darfield Branch.		
21	Royston - - -	Public - - -	20
75	Darfield - - -	Public - - -	20
	The Swadlincote and Woodville Junction.		
12	Church Gresley - -	Public - - -	20
	The Buckland Hollow Branch.		
7	Duffield - - -	Turnpike - -	30
	The Doe Lea Extension Deviation.		
6	Bolsover - - -	Public - - -	20
5A	Scarcliffe - - -	Public - - -	20
	The Appleby South Junction.		
6	St. Michael, Appleby -	Public - - -	20

Provision as to junction of the Brixton Station Branch Railway with London, Chatham, and Dover Railway.

6. In effecting the junction of the Brixton Station Branch hereby authorised with the Metropolitan Extensions Loop Line of the London, Chatham, and Dover Railway Company (herein-after called the Dover Company), the following provisions for the protection of that Company shall apply and be observed:

1. The junction shall be effected in all respects in such manner and in such position as shall previously have been approved by the engineer for the time being of the Dover Company, and the junction and the works connected therewith shall be executed by the Dover Company, and the costs thereof and all costs of every kind to which the Dover Company shall be

put by reason of the construction of the said railway and junction and incidental thereto shall upon demand be repaid to them by the Company, and in default thereof may be recovered in any court of competent jurisdiction:

2. The Company shall not, except by agreement, use, enter upon, or interfere with, or acquire any right, title, or interest to or in any lands belonging to the Dover Company, except such as may be required for the purpose of effecting the said junction and the works connected therewith, nor shall the Company with respect to such lands of the Dover Company as may be so required take the same, but the Company may purchase and take, and the Dover Company may and shall sell and grant, an easement or right of using the same for the purposes of the said railway junction and works:

3. The Dover Company may from time to time erect such signals and conveniences incident to the said junction either on their own lands or on the lands of the Company, and may from time to time appoint and remove such watchmen, switchmen, or other persons as may in their judgment be necessary for the prevention of danger to or interference with the traffic at or near the junction, and the working and management of such signals and conveniences, wherever situate, shall be under the exclusive regulation and control of the Dover Company; and all the expenses of erecting and maintaining such signals and conveniences, and of employing such watchmen, switchmen, and other persons, and all incidental current expenses shall at the end of every half year be repaid by the Company, and in default thereof may be recovered from them in any court of competent jurisdiction:

4. The Company shall bear, and on demand pay to the Dover Company, the expense of the employment by them during the making of the said junction and the works connected therewith of a sufficient number of inspectors or watchmen to be appointed by them for watching their railway with reference to and during the execution of the intended works, and for preventing as far as may be all interference, obstruction, danger, or accident to arise from any of the operations or from the acts or defaults of any person or persons in the employ of the Company with reference thereto or otherwise:

5. If by reason of any works or proceedings of the Company with reference to the construction of the said junction there shall be any obstruction of or interference with the railway of the Dover Company, so as to prevent or impede the convenient

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passage of engines and carriages along the same, the Company shall pay to the Dover Company the sum of fifty pounds by way of ascertained damages for every hour during which such obstruction or interference continues.

For protection of Meyrick Bankes, Esquire.

7. In constructing the Railway No. 3 (the Royston and Darfield Branch) by this Act authorised, the Company shall make and maintain the following works and comply with the following provisions for the protection of Meyrick Bankes, his heirs, executors, administrators, sequels in estate, and assigns (all of whom are herein-after included in the expression the said Meyrick Bankes):

1. The Company shall before the said railway is opened for traffic make, ballast, lay with rails complete for use, and maintain for the use of the said Meyrick Bankes a branch railway or siding on the westerly side of the said railway at or near a point marked three miles one furlong on the deposited plans of the said railway, and to communicate with the land of the said Meyrick Bankes, together with all such junctions, points, connexions, and other conveniences as may be necessary for conveying the traffic of the said Meyrick Bankes to and from such branch railway or siding to the railway of the Company:
2. The Company shall before the same date construct, and for ever thereafter maintain, two girder bridges, with openings of not less than twelve feet each, on the lands belonging or reputed to belong to the said Meyrick Bankes, and numbered 45, in the parish of Royston, on the deposited plans, so as to provide sufficient access to and from the portions of such lands severed by such railway:
3. The works aforesaid shall be made and maintained to the reasonable satisfaction of the surveyor or engineer for the time being of the said Meyrick Bankes:
4. The Company shall not take any more of the lands belonging or reputed to belong to the said Meyrick Bankes than shall be actually required by them for the construction of the railway as by this Act authorised.

Special provisions as to construction of the Burton Connecting Branch Railway.

8. In constructing the Burton Connecting Branch Railway the following provisions for the protection of the commissioners for executing the Town of Burton-upon-Trent Act, 1853 (herein-after called the commissioners), shall, notwithstanding anything shown on the deposited plans and sections, be observed and carried into effect by the Company:

(*a.*) Between the property described in the deposited books of reference as "mill, workshops, store room, saw mill, yard,

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and outbuildings," and therein and on the deposited plans numbered 5B, in the parish of Burton-upon-Trent, and the termination of the proposed railway, the Company shall make and maintain the line of such railway for a length of six hundred and twenty-five yards with a viaduct or viaducts raised upon piles of such a height as to allow a clear headway for water of five feet six inches below such viaducts and above the ordinary water level of the River Trent, and the said length of six hundred and twenty-five yards shall be such part or parts of the line of railway between the points aforesaid as shall be selected by an engineer appointed by the commissioners; and the Company shall give to the commissioners one month's notice in writing of their intention to commence the construction of the railway between the points aforesaid:

(*b.*) In case the bridge and the road leading thereto respectively authorised by the Stapenhill Bridge Act, 1865, shall not have been completed and opened for public traffic before the construction of the said Burton Connecting Branch Railway is commenced, the Company shall carry the said railway across the road which now leads to the Stapenhill Ferry through the property numbered on the deposited plans 19B, in the same parish, by means of a level crossing, subject to section forty-seven of the Railways Clauses Consolidation Act, 1845.

For protection of Duke of Portland.

9. Notwithstanding anything in this Act, the Company in making the Doe Lea Extension Deviation Railway shall not deviate from the centre line of railway shown on the deposited plans between the points herein-after mentioned; that is to say, a point on the north-west side of the road from Chesterfield to Bolsover, at a distance from such road of two furlongs and four chains, and a point on the south side of such road, at a distance therefrom of two furlongs and seven chains, the said distances to be measured from the middle of the said road along the said centre line of railway; and the Company shall not for the purpose of making such railway take or use any lands whatsoever other than those actually required for making such railway in accordance with this Act.

The Company shall at their own expense, within five years from the passing of this Act, remove the rails and other railroad apparatus from the portion of the Company's Staveley and Doe Lea Branch Railway which lies south of the point at which the Doe Lea Extension Deviation Railway is to begin, and is not required for such railway, and level the land and make it fit for cultivation, and

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deliver possession of it to the Duke of Portland, his heirs or assigns or successors in estate, in the adjoining lands forming part of the Derbyshire estates herein-after referred to, to the intent that it may be and remain subject to the uses by the will of William Henry Cavendish Scott, late Duke of Portland, dated the 24th day of November 1848, declared concerning his Derbyshire estates, and shall within the time aforesaid convey such land to such uses accordingly, and the word "grant" in the conveyance shall operate and have the same effect as in the case of a conveyance on sale by the Company of superfluous lands, and the purchase money for such land shall be estimated according to the value thereof in the condition in which possession thereof is to be delivered as aforesaid, and the amount shall be determined in the same manner as the amount of purchase money or compensation for lands subject to the settlement made by the said will and required for the said railway, and shall be deducted therefrom.

This enactment shall not take away, lessen, or prejudice any of the rights of the Duke of Portland, or any of his heirs or assigns or successors in estate, as a landholder or landholders which he or they would have had in the absence thereof.

Nothing in this Act shall diminish the force or effect of any existing obligation or liability of the Company under any agreement in which the Duke of Portland is interested.

For protection of the North-eastern Railway Company.

10. The powers by this Act conferred upon the Company with respect to the Appleby South Junction, the Hawes Branch Deviation No. 1, and the Hawes Branch Deviation No. 2, shall be exercised only subject to and in accordance with the following provisions for the protection and benefit of the North-eastern Railway Company:

(As to Appleby South Junction.)

1. The Appleby South Junction shall join the Eden Valley Railway of the North-eastern Railway Company at such point, in such manner, and with such connecting lines of approach and other works as shall be required or approved by the engineer of that Company, and the provisions of Part I. of the Railways Clauses Act, 1863, relating to junctions shall extend and apply as well to those connecting lines and works as to the junction with the Eden Valley Railway:

(North-eastern Company's property not to be taken compulsorily, and interference therewith restricted.)

2. The Company shall not purchase or take compulsorily any land or property of the North-eastern Railway Company, nor (save only so far as may be necessary for the purpose of constructing and maintaining the said junction, connecting lines, and works in accordance with the provisions of this Act) shall the Company or any person in the execution

of this Act in any manner, either temporarily or permanently, enter upon, use, or interfere with the railways, lands, or property of that Company, except with their consent in writing first obtained:

(Running powers to North-eastern Company over Hawes Branch deviations.)

3. The North-eastern Railway Company may pass over and use the Hawes Branch Deviation No. 1 and the Hawes Branch Deviation No. 2, and all stations, watering-places, water, booking offices, warehouses, wharves, sidings, works, and conveniences connected therewith respectively, in the same manner, to the same extent, and on and subject to the same terms and conditions as by the Midland Railway (Settle to Carlisle) Act, 1866, they were authorised to pass over and use the Railway No. 1 by that Act authorised.

Lands for extraordinary purposes.

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

Period for completion of railways.

12. The railways by this Act authorised (except the Hawes Branch Deviations No. 1 and No. 2) shall be completed within the period of five years from the passing of this Act, and those deviations shall be completed within the extended period by this Act limited for the completion of that portion of the railways authorised by the Midland Railway (Settle to Carlisle) Act, 1866, which is herein-after described as the Hawes Branch.

Imposing penalty unless railways opened.

13. If the Company fail within the respective periods limited by this Act to complete the St. Pancras Connecting Line, or the Brixton Station Branch, or the Royston and Darfield Branch, or the Burton Connecting Branch, or the Swadlincote and Woodville Junction, or the Tibshelf and Blackwell Branch, or the Buckland Hollow Branch, or the Ashwell Branch, or the Doe Lea Extension Deviation, or the Appleby South Junction, or the Hawes Branch Deviation No. 1 and the Hawes Branch Deviation No. 2, 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 railway or railways in respect of which the penalty has been incurred is or are completed and opened for public traffic, or until the sum received in respect of such penalty shall amount to five per centum on the amount of the estimated cost of the railway or railways in respect of which the penalty has been incurred.

The said penalty may be applied for by any landowner or other person claiming to be compensated in respect of the railway or railways in reference to which the penalty has been incurred, in accordance with the provisions of the next following section of this

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Act, or by the Solicitor of Her Majesty's Treasury, and in the same manner as the penalty provided in section three of the Railway and Canal Traffic Act, 1854.

Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge, as is specified in that section, to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster General, on behalf of the Court of Chancery, in the bank and to the credit specified in such warrant or order, and shall not be paid thereout, except as herein-after provided.

But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the railway or railways in respect of which the penalty has been incurred 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.

Providing for application of penalty.

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

If no such compensation shall be payable, or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum or sums of money recovered by way of penalty, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid to or for the account of Her Majesty's Exchequer, in such manner as the Court of Chancery in England thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or in the discretion of the court, if the Company is insolvent and has been ordered to be

wound up, or a receiver has been appointed, shall wholly or in part be paid to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Powers for completion of railways.

15. If the respective railways are not completed within the respective periods by this Act limited, then on the expiration of those periods the powers by this Act granted to the Company for making and completing the respective railways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof respectively as is then completed.

Burton-upon-Trent Town Commissioners to be deemed a gas company within meaning of Railways Clauses Consolidation Act, 1845.

16. The provisions of the Railways Clauses Consolidation Act, 1845, relating to alteration of gas pipes and interference with gas supply by the Company contained in sections 18, 19, 20, 21, 22, and 23 of that Act shall, for the purposes of this Act, extend and apply to the commissioners for executing the Town of Burton-upon-Trent Act, 1853, as if the said commissioners were a gas company within the meaning of the same sections.

Running powers to London and North-western Railway Company over Burton Connecting Branch.

17. The London and North-western Railway Company may pass over and use, with their engines and carriages of every description, and with their clerks, officers, and servants, the Burton Connecting Branch, together with the watering-places, water, booking offices, warehouses, wharves, sidings, works, and conveniences connected therewith (except stations and sidings used for station purposes), upon payment of interest at the rate of five pounds per centum per annum on one half of the Company's outlay upon that branch and the conveniences so to be used.

In case of difference as to the amount of such outlay, the same to be settled by an arbitrator to be appointed by the Board of Trade at the request of either company.

But the London and North-western Railway Company shall be entitled in account to one half the net tolls which the Company may receive from any other company in respect of any use by such other company of the Burton Connecting Branch or any part thereof.

The London and North-western Railway Company to pay also a proportion, according to user, of the maintenance, signalling, rates, taxes, and other expenses relating to the said branch and conveniences, such proportion to be settled in case of difference by arbitration as aforesaid.

The London and North-western Railway Company, in exercising the running powers by this Act conferred upon them, shall at all times observe the regulations and byelaws for the time being in

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force on the said branch, so far as such byelaws shall be applicable to the London and North-western Railway Company.

London and North-western Railway Company may provide stations, &c. on Burton Connecting Branch.

18. Notwithstanding anything in this Act, the London and North-western Railway Company may provide, as and whenever desired by them, all necessary stations and other conveniences upon and in connexion with the Burton Connecting Branch, and the Company shall concur in and afford all reasonable facilities for the acquisition of land and the construction of such stations and conveniences, and the necessary junctions in connexion therewith.

User of Burton Connecting Branch by North Staffordshire Railway Company.

19. The North Staffordshire Railway Company may pass over and use, with their engines and carriages of every description, and with their clerks, officers, and servants, all or any portion of the Burton Connecting Branch, and the several sidings, works, watering-places, and conveniences connected therewith (except stations and sidings used for station purposes), upon fair terms, to be agreed upon or settled by arbitration under the provisions of the Railway Companies Arbitration Act, 1859.

Power to make new roads and footpaths, and stop up parts of existing roads and footpaths.

20. Subject to the provisions of this Act, the Company may make, in the lines shown on the deposited plans relating thereto and according to the levels shown on the deposited sections relating thereto, the new roads herein-after described, with all proper works and conveniences connected therewith, and they may make the new footpaths and 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 relating thereto as may be required for those purposes; (that is to say,)

1. They may make a new road in the township and parish of Horton-in-Ribblesdale in the west riding of the county of York, commencing by a junction with the public road leading from Selside to Hawes which now crosses on the level the Company's Settle and Carlisle Railway (now in course of construction) at a point on such road ten chains or thereabouts southwards from such level crossing, and terminating by another junction with the said road at a point thereon four and a half chains or thereabouts northwards from the said level crossing; and when and so soon as the new road is completed and opened to the public the Company may stop up and discontinue and appropriate to the purposes of their undertaking so much of the existing road as lies between the commencement and termination of the new road:

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2. They may make a new road in the parish of Aldridge in the county of Stafford, commencing from and out of the public carriage road leading from Walsall to Aldridge at a point on that road ninety yards or thereabouts southward of the junction of that road with the public carriage road leading from Daw End to Aldridge, and terminating at a point on the said last-mentioned road three hundred yards or thereabouts westward of the said junction; and when and so soon as the new road is completed and opened to the public the Company may stop up and discontinue and appropriate to the purposes of their undertaking so much of the existing road from Daw End to Aldridge as extends for a distance of three hundred yards or thereabouts from the said junction, measured in a westerly direction:

3. They may make two new footpaths in the parish of Whitwick in the county of Leicester, herein-after distinguished as new footpaths No. 1 and No. 2, the new footpath No. 1 commencing from and out of the footpath (herein-after distinguished as existing footpath No. 1) which crosses on the level the Company's Leicester and Burton Railway eighteen chains or thereabouts north-west of the Mantel Lane level crossing, such point of commencement being five chains or thereabouts north of the point where the existing footpath No. 1 crosses the said railway on the level, and terminating by a junction with that footpath at a point thereon two chains or thereabouts south of that level crossing, and the new footpath No. 2 commencing by a junction with new footpath No. 1 at a point on the southern fence of the said railway twenty-one chains or thereabouts north-west of the said Mantel Lane crossing, and terminating by a junction with another footpath (herein-after distinguished as existing footpath No. 2) which crosses the said railway on the level twenty-five chains or thereabouts north-west of the said Mantel Lane crossing, such point of termination being four chains or thereabouts south-west of the said level crossing of the existing footpath No. 2; and when and so soon as the new footpaths are completed and opened to the public the Company may stop up and discontinue as public highways so much of the existing footpath No. 1 as lies between the commencement and termination of the new footpath No. 1, and so much of the existing footpath No. 2 as lies between the termination of the new footpath No. 2 and the junction on the north side of the said railway of the existing footpaths No. 1 and No. 2.

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Power to deviate in construction of new roads, &c.

21. In constructing the said new roads and footpaths the Company may deviate to the extent of the limits of deviation marked on the deposited plans, and may as regards the new roads deviate from the levels shown on the deposited sections to any extent not exceeding five feet, but not so as to increase the rate of inclination of the new roads as shown on those sections.

Provision for repair of new roads.

22. The said new roads and footpaths when completed shall be substituted for the portions of the existing roads and footpaths by this Act authorised to be stopped up, and shall thenceforth have all the incidents, including the repair and maintenance thereof, which the said portions of roads and footpaths would have had if this Act had not been passed: Provided always, that if any question shall arise between the Company and the trustees or other authority having the management of the said roads and footpaths, as to the due completion of the new roads and footpaths, such question shall from time to time be determined by two justices on the application of either of the parties in difference, and after not less than seven days notice to both parties of the sitting of the justices for the purpose, and the certificate of the justices of the due completion of the new roads and footpaths shall be conclusive evidence of the fact so certified.

Power to acquire lands for general purposes.

23. 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 from time to time enter upon, take, use, and appropriate to the purposes of extending their stations, sidings, warehouses, engine sheds, workshops, coal depôts, and other works and conveniences for the accommodation of their traffic, and for other purposes connected with the Company's undertaking, all or any of the lands and buildings following, delineated on the deposited plans thereof and described in the deposited books of reference relating thereto; (that is to say,)

Certain lands, houses, and buildings, in the township and parish of Cumwhitton in the county of Cumberland, lying on the north-east side of the River Eden, opposite to the embankment on the said Settle and Carlisle Railway under Eden Brows:

Certain lands, houses, and buildings, in the township and parish of Cliburn in the county of Westmoreland, lying on the south side of and adjoining the River Eden, opposite to the north end of the Culgaith Tunnel on the said Settle and Carlisle Railway:

Certain lands, houses, and buildings, in the township of Garsdale in the parish of Sedbergh in the west riding of the county of York, lying on both sides of and adjoining the said Settle and

Carlisle Railway, and extending for a distance of one mile or thereabouts southwards from the junction of the Hawes Branch with the said railway:

Certain lands, houses, and buildings, in the township of Dent in the parish of Sedbergh in the west riding of the county of York, lying on both sides of and adjoining the said Settle and Carlisle Railway, and between the Blea Moor Tunnel and the road leading from Hawes to Dent:

Certain lands, houses, and buildings, in the township of Ingleton in the parish of Bentham in the west riding of the county of York, lying on both sides of and adjoining the said Settle and Carlisle Railway, and south of the Ingleton and Hawes Road:

Certain lands, houses, and buildings, in the township and parish of Horton-in-Ribblesdale in the west riding of the county of York, lying on both sides of and adjoining the said Settle and Carlisle Railway, and being the properties or portions of the properties distinguished by the numbers 87, 94, and 96, in the said township and parish, on the plans deposited for the purposes of the Midland Railway (Settle to Carlisle) Act, 1866, with the clerk of the peace for the said west riding:

Certain lands, houses, and buildings, in the township and parish of Thornton in the west riding of the county of York, lying on both sides of and adjoining the Company's Skipton and Colne Railway at or near the Earby Station on that railway:

Certain lands, houses, and buildings, in the township of Bingley otherwise Bingley with Micklethwaite and Harden, in the parish of Bingley, in the west riding of the county of York, lying between and adjoining Wellington Street and Dubb Lane and the Company's Shipley and Colne Railway on the south and south-west, and the Leeds and Liverpool Canal on the north and north-east:

Certain lands, houses, and buildings, in the township of Notton in the parish of Royston in the west riding of the county of York, lying on the south-west side of and adjoining the Company's main line from Derby to Leeds near to and to the northward of the Royston Station:

Certain lands, houses, and buildings, in the township of Brightside Bierlow in the parish of Sheffield in the west riding of the county of York, lying on the south-east side of and adjoining the Company's Chesterfield and Sheffield Railway, and between that railway and Brightside Lane on the north-east side of Newhall Street:

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Certain lands, houses, and buildings, in the parish of Clown in the county of Derby, lying on the north side of and adjoining the Company's Clown Branch near the village of Clown:

Certain lands, houses, and buildings, in the parish of Stanton-by-Dale in the county of Derby, lying partly on the east and partly on the west sides of and adjoining that part of the Company's Erewash Valley Railway which is situate in that parish:

Certain lands, houses, and buildings, in the townships of Little Hallam and Ilkeston in the parish of Ilkeston in the county of Derby, lying partly on the east and partly on the west sides of and adjoining that part of the Company's Erewash Valley Railway which is situate in that parish: Provided always, that nothing contained in this Act or in the deposited plans or books of reference shall enable the Company to purchase compulsorily the lands numbered on the deposited plans 36 and 38, in the said parish of Ilkeston, belonging or reputed to belong to the Great Northern Railway Company, or to enter upon, take, or use any part of the said lands excepting for the purpose of constructing additional lines of railway or sidings underneath the arches or openings which by the sixteenth section of the Great Northern Railway (Derbyshire and Staffordshire) Act, 1872 (paragraph seven), the Great Northern Railway Company are bound to provide on each side of the main lines of rails of the Midland Railway Company's Erewash Valley Line; and the Great Northern Railway Company shall grant to the Company a perpetual easement on and over the said lands for the construction, maintenance, and use by the Company of such additional lines or sidings as aforesaid:

Certain lands, houses, and buildings, in the townships of Shipley and Heanor in the parish of Heanor in the county of Derby, lying partly on the east and partly on the west sides of and adjoining that part of the Company's Erewash Valley Railway which is situate in that parish:

Certain lands, houses, and buildings, in the parish of Trowell in the county of Nottingham, lying partly on the east and partly on the west sides of and adjoining that part of the Company's Erewash Valley Railway which is situate in that parish:

Certain lands, houses, and buildings, in the parish of Cossall in the county of Nottingham, lying partly on the east and partly on the west sides of and adjoining that part of the Company's Erewash Valley Railway which is situate in that parish:

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Certain lands, houses, and buildings, in the township of Awsworth, in the parish of Nuthall in the county of Nottingham, lying partly on the east and partly on the west sides of and adjoining that part of the Company's Erewash Valley Railway which is situate in that parish:

Certain lands, houses, and buildings, in the township of Toton and parish of Attenborough in the county of Nottingham, and in the township of Long Eaton and parish of Sawley, and in the parish of Sandiacre in the county of Derby, lying on the west and north-west sides of and adjoining the Company's Toton sidings, and also certain other lands, houses, and buildings, in the said township of Toton and parish of Attenborough, lying on the east side of and adjoining the Company's Erewash Valley Railway near the southern end of the said Toton sidings:

Certain lands, houses, and buildings, in the parish of Saint Alkmund Derby in the county of Derby, lying between the Company's railway from Derby to Leeds, the Derby Canal, and the Meadow Road, near the junction with the last-mentioned railway, of the Company's railway to Leicester through their Chaddesden sidings:

Certain lands, houses, and buildings, in the parishes of Saint Peter Derby and Normanton in the county of Derby, lying on both sides of and adjoining the Company's Birmingham and Derby Railway, and extending northwards from the bridge over that railway near the junction with that railway of the Company's Melbourne Branch for a distance of twenty-six chains or thereabouts:

Certain lands, houses, and buildings, in the township of Litchurch in the said parish of Saint Peter Derby, lying on the south-west side of and adjoining the London Road, and adjoining lands belonging to the Company:

Certain lands, houses, and buildings, in the parish of Saint Mary Nottingham in the town and county of the town of Nottingham, lying on the north side of and adjoining the Company's Nottingham and Trent Railway, near the east junction therewith of the Company's Nottingham and Mansfield Railway:

Certain lands, houses, and buildings, in the parish of Basford in the county of Nottingham, lying on the west side of and adjoining the Company's Nottingham and Mansfield Railway, and extending southwards from the junction therewith of the branch railway to Cinder Hill for a distance of thirty-two chains or thereabouts:

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Certain lands, houses, and buildings, in the parishes of Lenton, Radford, and Wollaton in the county of Nottingham, lying on the north side of and adjoining the Company's Radford and Trowell Railway, and extending for a distance of sixty-three chains or thereabouts in a westerly direction from the level crossing of that railway in the parish of Lenton by the tramway belonging or reputed to belong to Messieurs Charles Seeley and Company, including so much of the said tramway as lies between the southern boundary of the Company's property and the northern boundary of the land so to be acquired by them:

Certain lands, houses, and buildings, in the parish of Aston-juxta-Birmingham in the county of Warwick, lying on the east side of and adjoining the Company's Birmingham and Derby Railway, and extending northwards from the level crossing of that railway by the public road leading from Aston to Washwood Heath for a distance of fifty-six chains or thereabouts:

Certain lands, houses, and buildings, in the parish of Ripple in the county of Worcester, lying on the east side of and adjoining the Tewkesbury and Malvern Railway, and extending southwards from the Ripple Station on that railway for a distance of sixty-six chains or thereabouts:

Certain lands, houses, and buildings, in the parishes of All Saints and Holmer in the county of Hereford, lying on the south side of the Company's Hereford, Hay, and Brecon Railway near Moorfield Station, and on the west side of and adjoining the Great Western Railway near the junction therewith of the said Hereford, Hay, and Brecon Railway:

And they may stop up and discontinue the existing footpaths which now cross the last-mentioned lands, and may make in lieu thereof two new footpaths in the said parish of All Saints, one thereof commencing at the point where the existing footpath which crosses on the level the said Hereford, Hay, and Brecon Railway near the Moorfield Station is carried over the Great Western Railway by a bridge, and terminating at a point thirteen chains or thereabouts measured in a westerly direction along the said existing footpath from the point of commencement above described, and the other new footpath commencing from and out of the existing footpath which crosses the Great Western Railway by a bridge eight and a half chains or thereabouts south of the first-mentioned bridge at a point on that footpath at or near the western end of that bridge, and terminating by a junction with the first-mentioned new footpath at a point two chains or thereabouts west of the said first-mentioned

bridge: Provided always, that the Company shall not stop up any portion of the said existing footpaths until they shall have completed and opened to the public the said two new footpaths:

Certain lands, houses, and buildings, in the parish of Saint Mary de Lode in the county of Gloucester, lying on the south side of and adjoining the Company's railway from Gloucester to Cheltenham, and to the west of and adjoining Asylum Lane. And also certain other lands, houses, and buildings, in the same parish, lying on the north side of and adjoining the said railway, and on the south side of and adjoining the site of the disused tramway from Gloucester to Cheltenham.

Notice to be given of taking houses of labouring classes.

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

Provision as to accommodation for persons belonging to labouring classes.

25. And whereas the construction of the Saint Pancras Connecting Line, and the acquisition and appropriation by the Company of lands, houses, and buildings in the parish of Saint Pancras as by this Act authorised, will involve a removal of some houses of the class referred to in the immediately preceding section, and it is expedient that provision should be made for the accommodation of such of the before-mentioned persons as may be displaced by such removal: Therefore, the following provisions shall apply to the acquisition by the Company under the powers of this Act of lands and buildings in the said parish of Saint Pancras:

1. Before displacing any such person as aforesaid the Company shall provide sufficient accommodation elsewhere, unless the Company and such person otherwise agree, or unless, in case of difference between them, it shall be determined by a justice that under the circumstances the Company ought not to be required to provide such accommodation: Provided always, that if any difference shall arise as to the sufficiency of the accommodation proposed to be so provided by the Company, the same shall be determined by a justice:
2. For the purpose of enabling the Company to provide such accommodation they may (subject to the provisions of this Act, and in addition to the other lands and buildings in the parish

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of Saint Pancras which they are by this Act authorised to acquire,) from time to time enter upon, take, use, and appropriate to the purposes of this section all or any of the lands, houses, and buildings next herein-after described, delineated on the deposited plans thereof and described in the deposited books of reference relating thereto; (that is to say,)

Certain lands, houses, and buildings, in the parish of Saint Pancras in the county of Middlesex, lying on both sides of and fronting to Hampden Street and Ossulston Street, at and near the intersection of those streets, and fronting to Phœnix Street at its junction with Ossulston Street, and fronting to Middlesex Street at and near its junction with Hampden Street:

3. The Company may sell or let on building lease all or any of the said lands for the purpose of the erection thereon of suitable dwelling-houses or lodging-houses for the persons aforesaid:

4. The Company shall have full power and authority to make and enter into contracts and agreements for or with reference to all or any of the purposes aforesaid, and to impose conditions and restrictions as to the elevation, size, and design of the houses, and the extent of accommodation to be afforded thereby.

Construction of bridges over public roads within the limits of the metropolis.

26. In the construction of the Saint Pancras Connecting Line the following rules shall be observed:

1. Every bridge whereby the railway will be carried across any public carriage road shall be made, and shall thenceforth be maintained, so as not to lessen the present clear width of such road, including the footways; and in no case shall there be a less width between the abutments than forty feet throughout, measured on the square:

2. The arch or opening of every such bridge shall be of such a span or spans and height as shall be approved of by the Metropolitan Board of Works; provided that it shall not be compulsory upon the Company to make such headway more than the height of the existing bridges carrying the Midland Railway over the Old Saint Pancras Road, and every such bridge shall be formed of an ornamental character to the reasonable satisfaction of the engineer of the Metropolitan Board of Works:

3. All such bridges shall be water-tight and so constructed as to (so far as is practicable) deaden the sound of engines, carriages, and traffic passing over them:

4. The Company shall not commence the erection of any such bridge until they shall have given to the said Board twenty-one days notice in writing of their intention to commence the same, by leaving such notice at the office of the said Board, with plans, elevations, sections, and other necessary particulars of the construction of the said bridges, and until the said Board shall have signified their approval of the same, unless the Board fail to signify such approval or their disapproval, or other directions, within twenty-one days after service of the said notice and delivery of the said plans, elevations, sections, and other particulars as aforesaid:

5. The Company shall comply with and conform to all directions and regulations of the said Board in the execution and subsequent maintenance of the said bridges and works connected therewith, and shall save harmless the said Board against all and every expense to be occasioned thereby, and all such works shall, subject to the provisions of this Act, be done by or under the direction, superintendence, and control of the engineer or other officer or officers of the said Board, at the costs, charges, and expenses in all respects of the Company; and all costs, charges, and expenses which the said Board may be put to by reason of the 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 said Board by the Company on demand.

For protection of sewers of Metropolitan Board of Works and of vestries.

27. Where any of the works to be done or the powers to be exercised by the Company under or by virtue of this Act shall or may pass over, under, or by the side of, or so as to interfere with, any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the Metropolitan Board of Works, or of any vestry constituted under the Metropolis Management Act, 1855, or any Act or Acts amending the same, or extending the powers thereof, or with any sewers or works to be made or executed by the said Metropolitan Board or vestries, or either of them, or shall or may in any way affect the sewerage or drainage of the districts under their or either of their control, the Company shall not commence such works or exercise such powers until they shall have given to the said Metropolitan Board or to the vestry, as the case may be, twenty-one days previous notice in writing of their intention to commence the same, by leaving such notice at the principal office of such Board or vestry, with a plan and section showing the course and inclination thereof and other necessary particulars re-

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lating thereto, and until such Board or vestry shall have signified their approval of the same, unless such Board or vestry, as the case may be, do not signify their approval, disapproval, or other directions, within twenty-one days after service of the said plan, section, and particulars as aforesaid. And the Company shall comply with and conform to all orders, directions, and regulations of the said Metropolitan Board, or of the respective vestries, in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such Board or vestries shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by or by reason of the said intended works, or any part thereof, and shall save harmless the said Metropolitan Board and vestries respectively against all and every the expense to be occasioned thereby. And all such works shall be done by or under the direction, superintendence, and control of the engineer or other officer or officers of the said Metropolitan Board or vestry, as the case may be, at the costs, charges, and expenses in all respects of the Company, and all reasonable costs, charges, and expenses which the said Metropolitan Board or any vestry 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 or designs, superintendence, or otherwise, shall be paid to such Board or vestry by the Company on demand. And when any new, altered, or substituted works as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the Company under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said Metropolitan Board or vestries respectively, as the case may be, as any sewers or works now are or hereafter may be. And nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said Metropolitan Board and vestries, or any or either of them, or of their successors; but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed.

For protection of the Saint Pancras vestry.

28. The powers by this Act conferred upon the Company and exerciseable within the parish of Saint Pancras shall be subject to the following provisions, conditions, and restrictions, and in this enactment the expression "the vestry" means the vestry of the parish of Saint Pancras in the county of Middlesex:

1. Before the Company shall stop up or permanently interfere with any public sewer vested in the vestry, and which is necessary to be maintained, or with the access of the vestry

and of their officers thereto, the Company shall, to the satisfaction of the vestry or of their chief surveyor acting by their authority, substitute another sewer or other sewers, which when made shall be vested in and belong to the vestry:

2. The ironwork, piers, and abutments of all bridges over any public road shall be painted white by the Company not less than once in every second year, and be kept so painted to the satisfaction of the vestry:

3. So soon as the Company shall, in the exercise of the powers by this Act granted, have acquired possession of the houses and buildings in the parish of Saint Pancras fronting to that portion of Euston Road which lies between Skinner Street and Ossulston Street, they shall set back the frontage line to Euston Road, so as to allow the said portion of that road to be widened to the width throughout, including footways, of seventy feet. And the vestry shall, within eighteen months after receiving notice in writing from the Company giving them possession of the necessary land, execute and completely finish the works necessary to widen such portion of Euston Road to the extent aforesaid:

4. So soon as the Company shall, in the exercise of the powers by this Act granted, have acquired possession of the houses and buildings in the parish of Saint Pancras fronting to that portion of Ossulston Street which lies between Euston Road and Chapel Street, they shall set back the frontage line to Ossulston Street, so as to allow the said portion of that street to be widened to the width throughout, including footways, of fifty feet. And the vestry shall, within eighteen months after receiving notice in writing from the Company giving them possession of the necessary land, execute and completely finish the works necessary to widen such portion of Ossulston Street to the extent aforesaid:

5. All the paving, gully-gratings, street-posts, and lamp-columns in or upon any of the streets, courts, alleys, or passages in the parish of Saint Pancras 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. The existing urinal which has been erected by the vestry in Brewer Street shall, if removed, be so removed at the cost in all respects of the Company to and re-erected where and within such time as the vestry shall appoint:

7. While the Company are possessed under the authority of this Act of any lands, houses, buildings, or other property as-

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sessed or liable to be assessed to any district, general, or special rate, and until any works to be constructed in the parish of Saint Pancras are so far completed as to be assessed or liable to be assessed to an amount equal to or greater than the aggregate of the gross rateable value of the said lands, houses, buildings, and property in the last rate made by the vestry before the passing of this Act, the Company shall be liable to make good the deficiency in the assessments by reason of such lands, houses, buildings, or other property being taken or used by them, and the deficiency shall be computed according to the rental at which such lands, houses, buildings, and other property are now rated in the said last rate:

8. Any difference which may arise between the Company and the vestry under this Act shall be from time to time determined by arbitration in the manner provided by the Railways Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration.

For protection of New River Company.

29. The Company, before they appropriate and use any of the streets or courts in the parish of Saint Pancras authorised to be taken by this Act, shall give one clear month's notice to the New River Company of their intention to do so, and shall, to the satisfaction of the engineer of that company, take up and deliver to that company the water mains and pipes belonging to that company.

Powers for compulsory purchases limited.

30. The powers granted to the Company by this Act for the compulsory purchase of lands and buildings shall not be exercised after the expiration of three years from the passing of this Act.

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

31. And whereas in the construction of the railways and works by this Act authorised it may happen that portions only of the lands, buildings, or manufactories shown on the deposited plans will be sufficient for the purposes of the same, and that such portions may be severed from the remainder of the said properties without material detriment thereto: Therefore, notwithstanding section ninety-two of the Lands Clauses Consolidation Act, 1845, the owners of and persons interested in the lands, buildings, or manufactories described in the First Schedule to this Act, and whereof parts only are required for the purposes of this Act, may, if such portions can be severed from the remainder of the said properties without material detriment thereto, be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compellable to

purchase the whole or any greater portion thereof, the Company paying for the portions required by them, and making compensation for any damage sustained by the owners thereof or other persons interested therein by severance or otherwise.

Power to Company and Great Western Railway Company to acquire certain lands.

32. Subject to the provisions of this Act, the Company and the Great Western Railway Company jointly, or either of them with the consent of the other, may from time to time enter upon, take, use, and appropriate all or any of the lands, houses, and buildings following, delineated on the deposited plans and described in the deposited books of reference relating thereto; (that is to say,)

Certain lands, houses, and buildings, in the parish of Westbury-upon-Trym in the county of Gloucester, lying on the south side of and adjoining the Bristol Port and Pier Railway, and between that railway and the Bristol Port and Channel Dock now in course of construction:

The two companies may make and carry into effect agreements with respect to the purchase of the said lands, houses, and buildings, and the use and appropriation thereof.

Powers for compulsory purchases by Company and Great Western Company limited.

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

Extinguishment of rights of way, &c.

34. All rights of way over and along the several roads, footpaths, or other highways, or portions thereof, which may under the provisions of this Act be stopped up and discontinued, and over any of the lands which may under those provisions be purchased or acquired, shall be and the same are hereby extinguished; but this provision shall not apply to any lands which the Company may under the powers of this Act acquire for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act, 1845.

Company to abandon portions of authorised lines.

35. The Company shall abandon the construction of the following portions of their authorised railways; (that is to say,)

1. So much of their Doe Lea Extension as lies between the commencement thereof and the point herein-before described as the termination of the Doe Lea Extension Deviation:
2. So much and such portions of the Railway No. 1 authorised by the Midland Railway (Settle to Carlisle) Act, 1866, as lie between the respective points of commencement and termination of the deviations thereof by this Act authorised.

Compensation for damage to

36. The abandonment by the Company under the authority of this Act of any portion of railway shall not prejudice or affect

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land by entry, &c. for purposes of railways abandoned.

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 the line of railway, and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Company to receive compensation for such temporary occupation, or for any loss, damage, or injury which may have 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 (Additional Powers) Act, 1873, or the Midland Railway (Settle to Carlisle) Act, 1866.

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

37. 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 portion of railway authorised by this Act to be abandoned, and which shall not be required for the purposes of any of the works by this Act authorised, the Company shall be released from all liability to purchase or to complete the purchase of any of such lands; but notwithstanding, full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice. And the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act, 1845, as amended by any subsequent Act, for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Extension of time for completion of Settle and Carlisle lines.

38. The period limited by the Midland Railway (Additional Powers) Act, 1873, for the construction and completion of the railways authorised by the Midland Railway (Settle to Carlisle) Act, 1866, herein-after referred to as the Settle and Carlisle lines, is hereby extended as follows; that is to say, as to so much of Railway No. 1 of that Act as extends from the junction with that railway of Railway No. 2 to its termination at Hawes (and which portion of railway is called the Hawes Branch) until the sixteenth day of July one thousand eight hundred and seventy-seven, and as to the other portions of the Settle and Carlisle lines until the sixteenth day of July one thousand eight hundred and seventy-six.

Penalty if Settle Carlisle lines

39. Section thirty-five of the Midland Railway (Additional Powers) Act, 1873, shall be read and construed as if the periods by

this Act limited for the completion of the Settle and Carlisle lines had been the period by that Act limited.

not completed within extended period.

40. If the Settle and Carlisle lines are not completed within the periods limited by this Act, then on the expiration of those periods the powers by this Act granted to the Company for making and completing those lines, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

If Settle and Carlisle lines not completed within extended period powers to cease.

41. 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, in the parishes enumerated in the Second Schedule to this Act for the periods following; (that is to say,) as regards such of the lands as are situate near 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.

Extending time for sale of certain superfluous lands.

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

42. The undertaking of the Suburban Company shall and may be vested in the Company upon the terms and conditions and in the manner and subject to the provisions following; (that is to say,)

Vesting of undertaking of Suburban Company in the Company.

1. The Company, with the previous consent of three fourths of the votes of the shareholders in the Company and in the Suburban Company respectively, present in person or by proxy at some general meeting of the respective Company specially convened for the purpose, may create and issue to every holder of ordinary shares in the Suburban Company, in lieu of or in exchange for the shares in the Suburban Company held by him, preference stock of the Company, bearing interest at the rate of five pounds per centum per annum, to the amount of ninety per centum of the amount paid upon or in respect of the shares of the Suburban Company held by him:

(Substitution of shares or stock of the Company for shares of the Suburban Company.)

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The Company may also create and issue to every holder of preference shares in the Suburban Company, in lieu of or in exchange for the preference shares in the Suburban Company held by him, preference stock of the Company, bearing interest at the rate of five pounds per centum per annum, to an amount equal to the amount paid up upon or in respect of the preference shares of the Suburban Company held by him:

(Undertaking of Suburban Company vested.)

2. After such consent as aforesaid of the shareholders in the Company and the Suburban Company respectively has been obtained, and upon the registration in the books of the Company of the names of the holders of shares in the Suburban Company as the holders of the amount of the preference stock of the Company to which they may be entitled as herein-before provided, the undertaking of the Suburban Company, and the several railways and branches, stations, sidings, approaches, buildings, fixed plant, warehouses, and all other works, whether complete or incomplete, and all the lands and other the property, estate, moneys, books, papers, documents, and assets of that company, shall be and are hereby, as from the first day of July one thousand eight hundred and seventy-five, vested in the Company as part of their undertaking, subject to the contracts, debts, obligations, and liabilities of the Suburban Company:

The Suburban Company shall thereupon be dissolved, except for the purpose of winding-up its affairs:

(Company may exercise powers of Suburban Company.)

3. Immediately upon the vesting of the undertaking of the Suburban Company under the provisions of this Act, the Company may and shall exercise and fulfil, in their own name and under their own seal, and in the names and under the hands of their directors, officers, or servants, all the rights, powers, liabilities, and obligations of the Suburban Company, whether with reference to the acquisition of lands, the construction of works, the borrowing of money, the taking, demanding, and recovering of tolls, rates, and charges, or otherwise, in like manner as those rights, powers, liabilities, and obligations are authorised and required to be exercised and performed by the Suburban Company:

(Company may issue mortgages, &c. in exercise of borrowing powers of Suburban Company.)

4. Upon such vesting the Company may from time to time create and issue mortgages or debenture stock in their own undertaking in lieu of, or in exchange for, or instead of the renewal of, and to the amount of the mortgages or debenture stock of the Suburban Company:

(Certificate of substituted stock to be issued.)

5. A certificate of the stock in the capital of the Company issued in substitution for any share in the Suburban Company shall be issued to the respective holders of such existing shares, free of charge, in respect thereof; but the Company shall not be required to issue any such certificate unless and until the certificate of the share in the Suburban Company has been delivered up to be cancelled, or satisfactory evidence of its loss or destruction has been given to the Company:

(Substituted stock of the Company to be upon the same trusts, &c.)

6. The stock in the capital of the Company so issued shall remain and be vested in the person or persons to whom it is issued upon the same trusts and subject to the same powers, provisions, declarations, agreements, charges, liens, and incumbrances as at the time of the issue thereof affect the share in the Suburban Company in substitution for which such stock in the capital of the Company is issued, and so as to give effect to and not revoke any testamentary disposition of or affecting such share:

(Payment into court by Company.)

7. Provided that where the Company are for twelve months after the vesting unable, after diligent inquiry, to ascertain the person entitled to any part of the substituted stock, or where any person so entitled, or the guardian or committee of any such person's estate, cannot give an effectual receipt for the same, the Company may pay the sum of money represented by such portion of stock into the Court of Chancery in England under any Act from time to time in force for the relief of trustees.

User of stations in Birmingham.

43. Whereas by certain heads of agreement made between the London and North-western Railway Company and the Company, scheduled to and confirmed by the London and North-western Railway (Additional Powers) Act, 1868, it was, inter alia, provided as follows, except in the respects therein mentioned, "the use by "the Midland Company of the New Street Station" (meaning the station of that Company in New Street, Birmingham,) "to continue "as they have hitherto enjoyed it under the agreement of eleventh "February one thousand eight hundred and forty-seven, which is "set out in the schedule hereto, and is hereby confirmed, the "Midland Company using the same and no other passenger station "(other than that which they now possess or may construct on or "adjacent to their own line);" and the agreement of the eleventh February one thousand eight hundred and forty-seven provided, inter alia, as follows: "The Midland Company to have the use "henceforth for their passenger traffic of the New Central Station

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" of the London and North-western Company in Birmingham," (meaning the said New Street Station,) " and of the line and ap-" proaches thereto:" Therefore, notwithstanding the vesting in the Company of the undertaking of the Suburban Company, or any other powers conferred on the Company or on that company previously to the passing of this Act, it shall not be lawful for the Company without the consent of the London and North-western Railway Company under their common seal to use for passenger traffic any station which may be situate within the borough of Birmingham to be constructed and opened for traffic for or in connexion with the Suburban Railway as already authorised, or as the same may hereafter be deviated, varied, altered, or extended, except only for the purposes of local passenger traffic arising and terminating at stations between and including the terminal station of that railway in Birmingham and the King's Norton Station on the Midland Railway.

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

44. The Company, in addition to the other moneys which they are by this Act authorised to raise by the creation of shares, may from time to time raise by the creation and issue of new shares such sums of money as they shall think necessary not exceeding one million eight hundred thousand pounds, exclusive of the moneys which they are or may be authorised to raise by any other Act or Acts of Parliament; and the Company may create and issue such shares either wholly or partially as ordinary or wholly or partially as preferential shares, as they may think fit.

Shares not to issue until one fifth paid up.

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

As to amount and issue of new shares.

46. If at the time of the creation of new shares under this Act the then existing ordinary consolidated stock in the Company be at a premium or of greater actual value (according to the market price thereof in the city of London) than the nominal value thereof, such new shares shall be of such amounts (not other than an integral number of pounds sterling per share) as will allow the same to be conveniently apportioned among the then holders of all shares or stock in the Company (other than and except shares or 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) in proportion to the number of shares or amount of stock held by them respectively, and such new shares

may be either of one class or of different classes; and the directors of the Company may from time to time (but subject to the provisions of this Act) fix the amounts and times of payment of the calls on the new shares created under the powers of this Act, and every holder of shares or stock in the Company at the time of such creation as aforesaid (other than and except as aforesaid) shall in such proportion as aforesaid be entitled to an allotment of the new shares according to the provisions of this Act, and upon such terms and conditions as the Company shall determine at the time of the creation of the new shares, and no holder of any shares or stock entitled to a fixed amount of dividend, without further participation in the profits of the Company, shall be entitled to any apportionment of any such new shares.

Votes in respect of new shares.

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

Shares of same class to have like privileges.

48. All new shares of the same class created under this Act shall confer like privileges, and shall bear like dividends or interest, and be subject to like restrictions, if any.

Vesting of new shares.

49. Subject to the provisions of this Act, all new shares created under this Act shall vest in and belong to such of the then shareholders as shall accept the same and pay the first instalment thereon to the amount and at the time which shall be fixed by the directors and specified in the letter offering the new shares.

Shares not accepted may be disposed of by Company.

50. If any shareholder for one month after such offer of new shares fail to accept the same and pay the first instalment called for in respect thereof, the Company may authorise the directors to dispose of the same in such manner as they may deem most for the advantage of the Company.

Qualification of new shares.

51. Except as by or under the powers of this Act otherwise provided, all new shares issued under the powers of this Act shall, in proportion to the aggregate amount from time to time paid up on the new shares held by the same person at the same time, entitle the respective holders thereof to the same dividends and profits, and confer on them the like qualifications and the like rights of voting, as the like amount paid up on existing shares or stock of the Company (other than and except shares or stock to which any guaranteed or preferential dividend of a fixed amount, without further participation in the profits of the Company, shall have been

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assigned): Provided always, that unless otherwise determined by the meeting sanctioning the new shares, no person shall be entitled to vote in respect of any of the new shares to which a fixed or preferential dividend or other special advantage shall be assigned.

Saving rights of existing preference shareholders.

52. This Act or anything therein contained shall not prejudice or affect any preference or priority in the payment of interest or dividend on any other shares or stock which shall have been granted by the Company in pursuance of or which may have been confirmed by any previous Act of Parliament, or which may otherwise be lawfully subsisting, or any dividend on any Midland Railway debenture stock.

Company may create and issue stock in lieu of shares.

53. The Company may raise by the creation of stock the money which they are by this Act or by any other Act passed in the present session of Parliament, whether before or after the passing of this Act, authorised to raise by the creation of shares or any part thereof.

The Company may create and issue such stock either wholly or partially as ordinary or wholly or partially as preferential stock, as they may think fit, and all the provisions of this Act with respect to the shares by this Act authorised to be created, and the holders thereof, shall, so far as applicable, apply to the stock created under the authority of this present section, and the respective holders thereof, as fully and effectually as if those provisions were re-enacted in respect of that stock and the respective holders thereof.

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

54. 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, 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 Acts and this Act respectively authorised to raise by means of new shares or stock; but nothing in this Act contained shall empower the Company to issue stock to be paid up by instalments.

Power to borrow.

55. The Company may, in respect of the additional capital of one million eight hundred thousand pounds which they are by this Act authorised to raise, from time to time borrow on mortgage for the purposes of this Act and for the general purposes of their undertaking any sum not exceeding in the whole six hundred thousand pounds; but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by

means of shares are issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that shares for the whole of such capital have been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid, before he so certifies, that such shares or stock (as the case may be) were issued and accepted and paid up bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also if the said capital is raised by means of 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 in reference to such capital has been given, which certificate shall be sufficient evidence thereof.

Repealing provisions of former Acts with respect to appointment of a receiver.

56. 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.

For appointment of a receiver.

57. 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.

58. 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

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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 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.

Company may create debenture stock.

59. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863, but notwithstanding anything therein contained, the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

60. All moneys raised under this Act, whether by shares, stock, debenture stock, or borrowing, shall be applied to the purposes of this Act and to the general purposes of the undertaking of the Company, and to no other purpose.

Company may apply corporate funds.

61. The Company may from time to time apply for or towards all or any of the purposes of this Act 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.

Great Western Railway Company may apply corporate funds to purposes of this Act.

62. The Great Western Railway Company may apply for or towards the purposes of this Act which they are empowered to carry into effect any money which they now have in their hands, or which they have power to raise by shares or stock or mortgage, and which are not by any Act relating to that company made applicable to any special purpose, or which, being so made applicable, are not required for the special purpose.

Interest not to be paid on calls paid up.

63. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him; but nothing in this Act shall prevent the Company 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.

64. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application

to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking.

Railways not exempt from provisions of present and future general Acts.

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

Expenses of Act.

66. 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 Lands, Buildings, and Manufactories of which Portions only are required.

Township or Parish.	Numbers on deposited Plans.
Tibshelf and Blackwell Branch.	
Blackwell - - - - - -	19, 48.
Sutton-in-Ashfield - - - - -	28, 38A, 44.
South Normanton - - - - -	11.
Buckland Hollow Branch.	
Pentrich - - - - - -	12, 15.

SECOND SCHEDULE.

Midland Railway (Rowsley and Buxton) Act, 1860.

Parishes:

- Darley - - - } County of Derby.
- Bakewell - - - } County of Derby.
- Tideswell - - - } County of Derby.
- Hope - - - - } County of Derby.
- Sawley - - - } County of Derby.
- Burton-on-Trent - - County of Stafford.

Midland Railway (New Lines) Act, 1861.

Parishes:

- Shustoke - - - } County of Warwick.
- Nether Whitacre - - } County of Warwick.
- Over Whitacre - - } County of Warwick.
- Arley - - - } County of Warwick.
- Fillongley - } County of Warwick.
- Ansley - - } County of Warwick.
- Nuneaton - - - } County of Warwick.

Parishes—*cont.*	
Ashchurch	County of Gloucester.
Beckford	
Ashton-under-Hill	
Hinton-on-the-Green	
Overbury	County of Worcester.
Sedgeberrow	
Great and Little Hampton	
Saint Lawrence Evesham	
Blackwell	County of Derby.
Tibshelf	
Teversall	County of Nottingham.
Beighton	County of Derby.
Treeton	West riding of the county of York.
Aston-cum-Aughton	

Midland Railway (Otley and Ilkley Extension) Act, 1861.

Parishes:	
Calverley	West riding of the county of York.
Guiseley	
Burley-in-Wharfedale	
Otley	
Ilkley	

Midland Railway (Additional Powers) Act, 1861.

Parishes:	
Extra-parochial Liberty of Codnor Park	County of Derby.
Lancaster	County palatine of Lancaster.
Saint Mary's Nottingham	County of the town of Nottingham.
Bradford	West riding of the county of York.
Normanton	Ditto.
Attenborough	County of Nottingham.
Rugby	County of Warwick.
Saint Alkmund	County of Derby.
Crofton	West riding of the county of York.
Cheltenham	County of Gloucester.

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