CHAPTER cxliv.

An Act to enable the North London Railway Company to widen their Railway near Columbia Market, Bethnal Green; and for other purposes. [31st July 1885.]

A.D. 1885

WHEREAS it is expedient that the North London Railway Company (in this Act called "the Company") should be empowered to widen their railway and to lay down sidings in connexion therewith in the neighbourhood of Columbia Market Bethnal Green and to enter into agreements with the owner of the said market as in this Act provided:

And whereas plans and sections showing the lines and levels of the works by this Act authorised to be constructed and the lands by this Act authorised to be acquired and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands were duly deposited with the clerk of the peace for the county of Middlesex which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference:

And whereas it is expedient that the Company should be empowered to raise additional capital and that the London and North-western Railway Company should be empowered to subscribe towards and take and hold shares in the capital which the Company are by this Act authorised to raise:

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

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

1. This Act may be cited for all purposes as the North London Railway Act 1885. Short title.

A.D. 1885.

Incorporation of general Acts.

2. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say):—

The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883;

The Railways Clauses Consolidation Act 1845;

Part I. (relating to the construction of a railway) of the Railways Clauses Act 1863;

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

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing of money;

The conversion of the borrowed money into capital;

The consolidation of shares into stock;

The general meetings of the Company;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

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

Interpretation.

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

The expression "the railway" means the widening of railway sidings and works by this Act authorised;

The expression "the North-western Company" means the London and North-western Railway Company;

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 the parish of Saint Leonard Shoreditch 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 mean the vestry clerk of that parish;

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

Power to enter on lands and construct works.

4. Subject to the provisions of this Act the Company may from time to time enter upon take and use all or any of the lands defined upon the deposited plans and described in the deposited book of reference which may be required for the purposes of the works herein-after mentioned and may from time to time (in accordance with the deposited plans and sections and in and upon the said lands or any of them) execute the following works and exercise the following powers (that is to say):—

They may widen and lay down additional lines of rails upon the east side of their railway in the parish of Saint Leonard Shoreditch in the county of Middlesex between a point twenty yards or thereabouts south of Pearson Street and a point ninety-four yards or thereabouts south of Harwar Street and may make all necessary approaches stations sidings works and conveniences connected with such widening;

They may stop up and discontinue as a public thoroughfare so much of the street known as Long Street in the said parish of Saint Leonard Shoreditch as extends from a point fifty-three yards or thereabouts north of Union Buildings under the North London Railway to Harwar Street.

Tolls.

5. The widening and the sidings and other works by this Act authorised shall for the purposes of tolls rates and charges and for all other purposes be part of the railway of the Company.

Provision for works in Nichols Square.

6.—(1.) Notwithstanding the provisions in section 36 of the North London Railway (City Branch) Act 1861 to the contrary it shall be lawful for the Company to place upon the existing viaduct of the Company's railway where it passes Nichols Square and upon the west side of such viaduct signals and a signal box which may be used for the working of their line And in the execution of the widening sidings and works by this Act authorised where they pass by Nichols Square the arches of the viaduct shall form the western boundary of such square and shall abut upon the western side of the road along the western side of the said square when diverted The diversion of the said road shall be of the same width and character as the present road and may at the Company's option be made to within four feet of the full extent eastward of the limits of lands to be purchased shown on such plans and such arches shall be closed upon the side nearest the said square with brick walls to the

A.D. 1885.

springing of such arches and from the springing of such arches to the soffits of the same shall be filled in with rough plate-glass fixed according to a design to be reasonably approved by the owners of the said square and which shall not be made to open and no other windows or openings shall be made in such walls except air-brick gratings or other openings for the purpose of ventilation which shall be made in such manner as not to overlook the square:

(2.) The widening and works by this Act authorised shall so far as relates to Nichols Square be constructed in manner and order following—

The Company shall before commencing the said widening or works demolish and remove the materials of the houses in Nichols Square numbered on the deposited plans 30 and 31 in the parish of Saint Leonard Shoreditch and complete the diverted road to connect the two sides of Nichols Square in manner by this Act provided They shall also erect a good and sufficient hoarding eight feet in height so constructed as to shut off all the rest of the works and operations of the Company under this Act from Nichols Square and the Company shall maintain such hoarding and renew the same as far as may be necessary until the works mentioned in this section are complete and except for the purpose of taking down and removing the materials of the said two houses and completing the diverted road and for the construction of the said hoarding the Company shall not be entitled to access to the said square from the site of any of their works or to the site of any of their works from the said square and all works of the Company mentioned in this section other than those herein-before excepted shall be carried on from the western side of the hoarding to be erected as aforesaid and no workmen or materials of the Company shall be permitted to pass or be conveyed through the said square for the purpose of any of the said works:

(3.) Except as expressly varied by this section the provisions contained in the said Act for the protection of the property in Nichols Square shall remain in force unless otherwise agreed between the Company and the owners of the said square.

Protecting sewers, &c. on lands within the metropolis.

7. The Company shall not execute any work upon any lands within the metropolis as defined by the Metropolis Management Act 1855 which may be acquired by them under or by virtue of this Act in such a manner as to nor do any act or thing which may affect or interfere with any sewer drain watercourse defence or work under the jurisdiction or control of the Metropolitan Board of Works or of the vestry of the parish of Saint Leonard Shoreditch or with any

sewers or works to be made by the said board or vestry or either of them or in such a manner as to affect in any way any sewers or drains or the access to such sewers or drains until they shall have given to the said Metropolitan Board or the said 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 thereof and all necessary particulars relating thereto and until such board or vestry respectively shall have signified their approval of the same unless such board or vestry as the case may be do not signify their approval disapproval or other directions within twenty-one days after the 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 board or vestry as the case may be in the execution of the said works and shall provide by new altered or substituted works in such manner as such board or vestry respectively shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by or by reason of the said intended works or any part thereof and shall save harmless the said board and vestry 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 board or of the said 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 board or vestry or either of them may be put to by reason of such works of the Company whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to such board or vestry as the case may be 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 board or vestry 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 board and vestry or either of them or their successors but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed.

Bridges over roads in the metropolis.

8. Where any bridge is widened under the powers of this Act over any street or road there shall be left a clear span and headway

A.D. 1885.

throughout over and above the existing surface of the street or road of not less than the span and headway of the existing bridge and any such widening shall be made and maintained so as to prevent as far as reasonably practicable the dripping of water therefrom on any part of such street or the footway thereof and so as to deaden so far as is reasonably practicable the sound of engines carriages and traffic passing over the bridges so widened and the parapets of such bridges and works shall be carried the same height above the level of the rails as the existing parapets and constructed in the same manner.

Exhibition of placards.

9. The Company shall not affix or exhibit or permit to be affixed or exhibited upon the said parapets any placards or advertisements except such as relate to the business of the Company.

Provision as to payment of rates in the parish of St. Leonard Shoreditch.

10. The provisions of the 133rd section of the Lands Clauses Consolidation Act 1845 with respect to the payment of the land tax and poor's rate shall as to any lands or properties to be acquired under the authority of this Act in the parish of Saint Leonard Shoreditch extend to all rates now chargeable upon property or the occupiers thereof in the said parish.

Road under Harwar Street to be lighted in a certain event.

11. If the bridge of the Company over Harwar Street in the parish of Saint Leonard Shoreditch shall in the execution of the works by this Act authorised or under the Columbia Market Act 1885 be widened so as to exceed 65 feet in width measured at right angles to the lines of rails thereon and shall in the opinion of the vestry of Saint Leonard Shoreditch prove a public inconvenience by obstructing the light in such road it shall be lawful for such vestry to set up and affix under such bridge and keep lighted with gas by day and by night a lamp or lamps for affording proper light and security to passengers and the costs charges and expenses of such lighting and consequent thereon shall be paid by the Company within fourteen days after demand in writing by such vestry and in default the same may be recovered from the Company by such vestry with full costs of suit by action in any court of competent jurisdiction.

For the protection of the East London Waterworks Company.

12. Whereas divers mains pipes services and other works belonging to and now in use by the East London Waterworks Company (in this section called "the water company") for the purpose of their water supply will or may in the execution of the works by this Act authorised be intersected or otherwise interfered with and divers other mains pipes services and works belonging to and now in use as aforesaid by the water company will or may be destroyed or rendered useless by the acquisition and appropriation by the Company of the lands houses and buildings which they are by this Act

authorised to enter upon take and use Therefore the following provisions shall have effect:—

(A.) Before commencing any works by this Act authorised which may interfere with or affect any mains pipes services or other works of the water company the Company shall if such works involve the interference with any street road bridge or other place or land in along or under which any mains pipes services or other works of the water company may be placed and whether they contemplate altering the position of any such mains pipes services or other works or not give to the water company fourteen days notice of their intention to commence such works and shall at the same time deliver a plan and section of the proposed works. If it should appear to the water company that such works would endanger any of their mains pipes services or works or interfere with or impede the supply of water the water company may give notice to the Company to lower or otherwise alter the position of such mains pipes services or works or to substitute temporarily or otherwise other mains pipes services or works in such manner as may be considered necessary and any difference as to the necessity of such lowering alteration or substitution shall be settled by arbitration as herein-after provided and all such works shall be done and executed by and at the expense of the Company but to the satisfaction and under the sole direction of and in such manner as shall be required by the engineer of the water company And if the water company by notice in writing to the Company within seven days after the receipt by them of notice of the intended commencement by the Company of any such works so require the water company may by their own engineer or workmen do or execute such works on the expiration of the first-mentioned notice and the Company shall on the completion thereof pay to the water company the reasonable expenses incurred by them in the execution thereof;

(B.) The Company shall bear the reasonable expenses of and incident to the superintendence and watching by the water company or their engineer or officers of all or any of the works by this Act authorised during the progress and until the completion of the same and by which any main pipe service or work of the water company may be interfered with;

(C.) If any interruption whatsoever in the supply of water by the water company shall be in any way occasioned by the Company or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or any of them the Company shall forfeit and pay to the water company for

A.D. 1885.

the use and benefit of the water company the sum of ten pounds by way of liquidated damages for every hour during which such interruption shall continue such sum to be recovered by the water company in any court of competent jurisdiction;

(D.) The expense of all repairs or renewals of any main pipe or service of the water company or any works in connexion therewith which may at any time hereafter be rendered necessary by the acts or defaults of the Company their contractors agents workmen or servants or any person in the employ of them or any of them shall be borne and paid by the Company and may be recovered against them by the water company in any court of competent jurisdiction;

(E.) In constructing the works by this Act authorised the Company shall in respect of the mains pipes services and other works of the water company conform with and observe (subject and without prejudice to the provisions of this Act) the provisions in that behalf with respect to the railway and works connected therewith of the Railways Clauses Consolidation Act 1845 and those provisions shall subject and without prejudice to the provisions of this Act extend and be applicable to the works by this Act authorised;

In every case in which the works of the Company shall interfere with the mains and pipes of the water company the Company shall give every reasonable facility for provision being made when required by and at the expense of the water company so as to allow such mains and pipes to be replaced by mains and pipes of a larger size: Provided always that the water company shall in the exercise of these powers do as little damage as possible and shall not prejudicially interfere with the lands and other property of the Company;

(F.) If and when the Company under the powers of this Act acquire and appropriate any lands houses and buildings which are served with water by the mains pipes services or works of the water company laid down and maintained by them in any road street highway or place or stop up any such road street highway or place so that the same mains pipes services and works or any of them or any part thereof respectively become useless for supplying water the Company shall pay to the water company the cost to the water company of such mains pipes services and works and their expenses in and about the laying down of the same in their then position and the same shall thereupon become the property of the Company and the Company shall also pay to the water company their reasonable

charges for removing any of their mains pipes services and works in immediate communication therewith and which the works of the Company shall render useless;

(G.) If any difference shall arise between the Company or their engineer and the water company or their engineer on any question matter or thing under the provisions of this Act or any Act incorporated therewith such difference shall be referred to and determined by an engineer to be agreed upon by the engineer of the Company and the engineer of the water company or failing agreement shall be referred to and determined by any engineer to be appointed on the application of the Company or the water company or the engineer of either of those companies by the President for the time being of the Institution of Civil Engineers and the costs and expenses of the reference shall be borne and paid as the engineer agreed upon or appointed as aforesaid shall direct;

(H.) Except as in this Act specially provided nothing in this Act shall prejudice diminish alter or take away any of the rights privileges powers or authorities of the water company.

For the protection of the Gas Light and Coke Company.

13. For protection of the Gas Light and Coke Company in this section referred to as "the gas company" the following provisions shall have effect (that is to say):—

(A.) Whereas in the execution of the works by this Act authorised the mains pipes syphons and other works belonging to the gas company may be intersected or otherwise interfered with and it is expedient that the gas company should have full control over the execution of all works in any way affecting the supply by them of gas so as effectually to provide against the supply thereof being impeded Therefore all works matters or things which under the provisions of the Railways Clauses Consolidation Act 1845 or this Act the Company may be empowered or required to do or execute with reference to the mains pipes syphons or other works of the gas company shall be done and executed by and at the cost of the Company but to the reasonable satisfaction and under the direction of and in such manner as shall be reasonably required by the engineer for the time being of the gas company and such works matters or other things shall not be commenced until after fourteen days previous notice thereof in writing shall have been given to the gas company Provided always that if the gas company shall elect themselves to execute any portion of the works matters and things which the Company may by this Act be empowered or required to do or exercise with reference to or affecting the mains pipes syphons apparatus or other works of the gas

A.D. 1885.

company and of such their election shall give seven days notice in writing to the Company by leaving the same at their head office in London the gas company may themselves execute that portion of the said works matters and things and the reasonable expense of and incident to the executing the same shall be repaid by the Company to the gas company on demand and such expense may be recovered from the Company in any court of competent jurisdiction;

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

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

(d.) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the gas

company all costs losses damages and expenses which may be occasioned to the gas company or to any of their mains pipes syphons apparatus property works and conveniences or of any loss of gas or interruption in the supply of gas by the gas company or otherwise by reason of the execution or failure of any of the intended works or of any act or omission of the Company or of any of their contractors agents workmen or servants or any of the persons in their employ or in the employ of their contractors or others and the Company will effectually indemnify and hold harmless the gas company from all claims and demands upon or against them by reason of such execution or failure or of any such act or omission;

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

Power to owners to grant easements.

14. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company any easement right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting lands and the provisions of the said Acts with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants easements rights and privileges as aforesaid respectively.

As to taking houses of labouring class.

15.—(1.) The Company shall not under the powers of this Act purchase or acquire in any parish or part of a parish twenty or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until

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

A.D. 1885.

(*b*) They shall have given security to the satisfaction of the Secretary of State for the Home Department for the carrying out of the scheme.

(2.) The approval of the Secretary of State for the Home Department to any scheme under this section may be given either absolutely or conditionally and after the Secretary of State for the Home Department has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modifications in the scheme.

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

Provided that the Secretary of State for the Home Department may dispense with the last-mentioned requirement subject to such conditions (if any) as he may see fit.

(4.) Any conditions subject to which the Secretary of State for the Home Department may have approved of any scheme under this section or of any modifications of any scheme or subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Secretary of State for the Home Department out of the Queen's Bench Division of the High Court of Justice.

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

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

(6.) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require.

(7.) The Company may on any lands belonging to them or purchased or acquired under this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid;

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

Provided also that the Secretary of State for the Home Department may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as he may see fit.

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

(9.) The Secretary of State for the Home Department may direct any inquiries to be held by any persons appointed by him as inspectors which he may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and every such inspector shall for the purposes of any such inquiry have all such powers as inspectors of the Local Government Board have for the purposes of inquiries directed by that board under the Public Health Act 1875.

(10.) The Company shall pay to the Secretary of State for the Home Department a sum to be fixed by him in respect of any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by the said Secretary of State not exceeding three guineas a day for the services of such inspector.

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

Period for compulsory purchase of lands.

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

Extinguishment of rights of way.

17. All rights of way over or along the portion of street which shall under the provisions of this Act be stopped up and discontinued and over any of the lands which shall be purchased or acquired

A.D. 1885.

under the compulsory powers of this Act shall be and the same are as from the stopping up purchase or acquisition thereof respectively by this Act extinguished.

Vesting of site and soil of portion of street stopped up.

18. The site and soil of the portion of street by this Act authorised to be stopped up and discontinued and the fee simple and inheritance thereof shall (except where by this Act otherwise provided) if the Company are or if and when under the powers of this Act or of any other Act relating to the Company already passed they become the owners of the lands on both sides thereof be from the time of the stopping up thereof respectively wholly and absolutely vested in the Company and the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near the railway shall apply to the lands so vested as if such lands had been purchased by the Company but the mines had not been expressly purchased.

Power to agree with owner of Columbia Market as to junctions, &c.

19. The Company on the one hand and the owner for the time being of the Columbia Market Bethnal Green on the other hand may enter into and carry into effect agreements with reference to the formation and use of junctions between the widening sidings and works by this Act authorised and any railways sidings or works to be constructed by the said owner and for regulating such junctions and the use thereof and of the points and signals and other conveniences connected therewith and with reference to the purchase or acquisition by the Company of any such last-mentioned railways sidings or works And every such purchase or acquisition by the Company shall be by deed of conveyance duly stamped.

Power to make working agreements with owner of Columbia Market.

20. The Company may from time to time enter into and carry into effect agreements with the owner of Columbia Market with respect to the construction working use management and maintenance of the said widening sidings and other works by this Act authorised or any part or parts thereof and of any railways or sidings or works constructed or to be constructed by the said owner under the powers of any Act to be passed in the present session of Parliament or otherwise and with respect to the supply under any agreement for such working and use of rolling stock and machinery necessary for the purposes of such agreement and of officers and servants for the conduct of such traffic and with respect to the costs charges and expenses of such construction working use management and maintenance and with respect to the regulation management and transmission of the traffic of the Company and of the said owner and the collection payment division apportionment appropriation and distribution of the tolls rates and charges arising from any such traffic.

Power to Company to raise additional capital.

21. The Company in addition to the sums of money which by any other Act or Acts they may be authorised to raise may from time to time raise by the creation of new shares or stock in the undertaking of the Company either wholly or partly by ordinary shares or stock or wholly or partly by preferential shares or stock as the Company shall think fit any sum not exceeding fifty thousand pounds.

Shares not to be issued until one fifth part thereof paid up.

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

Votes and qualifications in respect of Company's capital.

23. The holders of the existing ordinary stock in the Company's undertaking and of the shares or stock created under this Act shall notwithstanding anything contained in any existing Act relating to the Company have rights of voting and qualifications in respect thereof on the principle that each sum of fifty pounds paid up in respect of any such shares or stock held by any such holder shall be deemed equivalent to one original share of fifty pounds in the capital of the Company as prescribed by their Act of Incorporation :

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

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

Receipt to Company in case of persons not sui juris.

24. If any money is payable to a holder of shares or stock in the Company being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to North-western Company to take their proportionate amount of new capital.

25. The North-western Company (with the consent of three fourths at least of the votes of their shareholders present in person or by proxy at a general meeting of such Company specially convened for the purpose) may take and hold such proportion of the new shares or stock in the undertaking of the Company created by virtue of this Act as they may be entitled to in respect of the shares or stock now held by them in that undertaking and may pay the amount of the calls from time to time made thereon out of any moneys now or hereafter under their control and not required for the purposes for which the same were specially authorised to be raised Provided that the North-western Company shall not at any time hereafter sell dispose of or transfer any shares in the Company acquired by them under the provisions of this Act.

A.D. 1885.

Power to Company to borrow money on mortgage in respect of additional capital.

26. The Company may in respect of the additional capital of fifty thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of their undertaking any sum not exceeding in the whole sixteen thousand six hundred pounds in addition to the sums which they are already authorised to borrow but no part of such sum of sixteen thousand six hundred pounds shall be borrowed until shares for so much of the said additional capital as is to be raised by shares shall have been issued and accepted and one half thereof shall have been 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 portion of capital have been issued and accepted and that one half thereof has been paid up and that not less than one fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof or until stock for one half of so much of such additional capital as is to be raised by means of stock shall have been 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 shares that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

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

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

For appointment of a receiver by Company's mortgagees.

28. 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 or of principal and interest 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.

Power to Company to convert into stock the borrowed capital to be raised under this Act.

29. The Company shall have the same powers and privileges in all respects of converting into debenture stock the borrowed capital authorised to be raised under this Act as by the Acts now in force relating to the Company or any of them they have over the borrowed capital previously authorised to be raised.

Application of moneys raised by Company.

30. All moneys raised by the Company under this Act whether by shares or borrowing shall be applied in the first instance to the purposes of this Act and subject thereto to the general purposes of the Company being in every case purposes to which capital is properly applicable and the Company may apply to such purposes any of the moneys which they now have in their hands or which they have power to raise by shares or mortgage by virtue of any Acts relating to the Company and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Power to North-western Company to raise money by creation of shares or stock.

31. The North-western Company from time to time may for the purposes of their subscription to the undertaking of the Company by this Act authorised raise by the creation and issue of shares or stock such capital as they shall think necessary not exceeding thirty-three thousand six hundred and thirty-eight pounds exclusive of the capital which they are or may be authorised to raise by any other Act or Acts of Parliament and the North-western Company may create and issue such shares or stock either wholly or partially as ordinary or wholly or partially as preferential shares or stock as they may think fit and the clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The consolidation of shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested; and

Part I. (relating to the cancellation and surrender of shares) and Part II. (relating to additional capital) of the Companies Clauses Act 1863 shall extend and apply to the North-western Company and

A.D. 1885.

to the additional capital which they are by this Act authorised to raise.

Shares created by North-western Company not to be issued until one fifth part thereof paid up.

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

Incidents of North-western Company's new capital.

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

Dividends on new shares or stock of North-western Company.

34. Every person who becomes entitled to a share or any stock created by the North-western Company under this Act shall in respect of the same be a holder of shares or stock in that company and shall be entitled to a dividend either preferential or ordinary as the case may be with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or stock.

Votes and qualifications in respect of new shares or stock of North-western Company.

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

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

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

New shares or stock raised by North-western Company under this Act and other Acts may be of same class.

36. Subject to the provisions of any Act already passed by which the North-western Company are authorised to raise capital by new shares or stock and to the provisions of this Act and any other Act passed in the present session of Parliament whether before or after the passing of this Act by which the said company may be authorised to raise capital by new shares or stock the North-western Company may if they think fit raise by the creation and

issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new shares or stock.

Receipt to North-western Company in case of persons not sui juris.

37. If any money is payable to a holder of shares or stock in the North-western Company being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to that company.

Application of moneys.

38. All moneys raised by the North-western Company under this Act by shares or stock shall be applied only to the purposes of the before-mentioned subscription by that company to the undertaking of the Company.

Interest not to be paid on calls paid up.

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

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

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

Provision as to general Railway Acts.

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

Costs of Act.

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

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