ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

****

Cap. xiv.

An Act to enable the *North London* Railway Company to raise an additional Sum of Money; and for other Purposes. [15th *May* 1860.]

WHEREAS it has been found necessary, for the due Accommodation of the Traffic and Business of the *North London* Railway, to expend a much greater Amount in Plant and Locomotive Stock, and also in the Erection and Construction of Stations, Sidings, Workshops, Coal Depôts, and other Works, than was originally contemplated, and a considerable further Expenditure is still required for the Objects aforesaid: And whereas it is also expedient to give Powers to the Company to widen a Portion of their Railway: And whereas the present Capital of the Company is Nine hundred and seventy-five thousand Pounds, and the Sum they are authorized to raise on Mortgage or Bond is Three hundred and twenty-four thousand six hundred and sixty-six Pounds, and the whole of such Sums respectively have been subscribed, paid, and expended; and for the several Purposes aforesaid it is expedient to enable the Company to raise a further Capital of One hundred and fifty thousand Pounds, and also to authorize them to raise on Mortgage or Bond the further Sum of Fifty thousand Pounds: And whereas it is also expedient that several of the Powers and Provisions contained in the Special Acts relating to the Company should be altered,

varied, extended, or enlarged; but the several Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. In citing this Act in other Acts of Parliament and in all legal Documents and other Proceedings whatsoever it shall be sufficient to use the Expression "The *North London* Railway (Additional Capital) Act, 1860."

"The Company."

II. Throughout this Act the Expression "the Company" shall be taken to mean the *North London* Railway Company.

8 & 9 Vict. cc. 16. 18. & 20. incorporated

III. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Power to raise additional Capital by Creation of new Shares.

IV. It shall be lawful for the Company to raise, by the Creation of new Shares or Stock, the Sum of One hundred and fifty thousand Pounds, in addition to the existing Capital or Sum of Stock already raised and paid; and such new Capital shall be divided into Fifteen thousand Shares of Ten Pounds each; and the Holders of the same Shares shall be entitled to vote at General Meetings of the Company with the Holders of Shares in the original Capital of the Company, save and except that Ten Shares of Ten Pounds each in the said new Capital shall be required to give One Vote, in the same Manner as One hundred Pounds of Stock in the original Capital, and so on in the like Proportion, and that no Holder of a less Number than Ten of the said Shares of Ten Pounds, or of any additional Share or Shares of Ten Pounds over and any Number divisible by Ten, shall have or be entitled to any Vote in respect thereof.

Proprietors of existing Capital Stock to have an Option of subscribing for new Capital.

V. The several Persons and Corporations which at the Time of the passing of this Act shall be the registered Proprietors of the existing Capital Stock of the Company shall be entitled in the first instance to subscribe for, take, and hold the new Shares or Stock by this Act authorized to be raised in the same relative Proportions as they shall then be Holders of the said existing Capital Stock, or as near thereto as may be; but if for the Space of Fourteen Days after Notice requiring such Proprietors to avail themselves or otherwise of the Option herein-before given them in that Behalf shall have been sent by Post to or left at the Address of such Proprietors respectively (as stated in the Shareholders

Address

Address Book of the Company), the said Proprietors or any of them shall neglect or fail to send to or leave at the principal Office of the Company a Notice in Writing, signed by such Proprietors respectively, stating to the effect that they intend to subscribe for their due Proportion of the new Shares or Stock hereby authorized to be raised, the said new Shares or Stock, or such and so many or such Part thereof respectively as shall not be taken by the said existing Proprietors availing themselves of the Option herein-before given shall be allotted and distributed among such Persons and in such Manner as the Directors of the Company may think fit.

Calls upon new Shares.

VI. The greatest Amount of any One Call which the Company may make on the Shareholders in respect of the said new Shares shall be Three Pounds, and Two Months at least shall be the Interval between successive Calls; and the aggregate Amount of all Calls to be made on any One Share in any Year shall not exceed Three Fourths of the Amount of such Share.

Power to borrow on Mortgage.

VII. After the whole of the Share Capital by this Act authorized to be raised shall have been subscribed for *bonâ fide*, and shall be held by Subscribers or their Assigns, and for which such Subscribers or their Assigns shall be legally liable, and One Half thereof shall have been actually paid up, it shall be lawful for the Company to borrow on Mortgage such Sums of Money as shall from Time to Time be authorized to be borrowed by a General Meeting of the Company, not exceeding in the whole the Sum of Fifty thousand Pounds, in addition to the Sums which the Company was authorized to borrow at the Time of the passing of this Act, and to secure the Payment of the Sums to be borrowed, with Interest, by Mortgage of the Undertaking.

Former Mortgages to have Priority.

VIII. All Mortgages already granted by the Company, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over all Mortgages to be created by virtue of this Act, and nothing in this Act shall affect the Validity of any Mortgage or Bond so made or granted before the passing of this Act.

Mortgages to rank equally.

IX. No Mortgages, Bonds, or other Securities for Money borrowed, to be created or issued by the Company after the passing of this Act, shall entitle the Proprietors or Holders thereof respectively to any Preference or Priority on account of Date, or otherwise howsoever, but the same shall respectively rank *pari passu* one with the other.

Power to convert into Stock the borrowed

X. The Company shall have the same Powers and Privileges in all respects of converting into Stock the borrowed Capital authorized to be raised under this Act as by the Acts now in force relating to the Company,

Capital to be raised under this Act.

Company, or any of them, they have over the borrowed Capital previously authorized to be raised, and when so converted the Holders of any such Stock shall be entitled to the same Rights and Privileges in all respects as the Holders of Debenture Stock created or to be created under the existing Acts.

Arrears may be enforced by Appointment of a Receiver.

XI. If within Thirty Days after the Dividend or Interest on any Mortgages or Bonds issued by the Company under this Act, or on the said Debenture Stock into which the same or any Part thereof may have been converted, shall have become payable, and after Demand thereof in Writing, the same be not paid, any Proprietor or Proprietors of such Mortgages, Bonds, or Debenture Stock, holding individually or collectively an Amount in nominal Value of Ten thousand Pounds or upwards, may (without Prejudice to his and their Right to sue for the Dividend or Interest so in arrear in any Court of competent Jurisdiction) require the Appointment of a Receiver, by an Application to be made as herein-after provided.

Appointment of a Receiver.

XII. Every Application for a Receiver in the Cases aforesaid shall be made to Two Justices; and on any such Application it shall be lawful for such Justices, by Order in Writing, after hearing the Parties, to appoint some Person to receive the whole or a competent Part of the Tolls or Sums liable to the Payment of such Dividends or Interest, until all the Arrears of Dividend or Interest which may then be due on the said Mortgages, Bonds, or Debenture Stock respectively, together with all Costs, including the Charge of receiving the Tolls or Sums aforesaid, be fully paid; and upon such Appointment being made all such Tolls and Sums of Money as aforesaid shall be paid to and received by the Person so to be appointed, and the Money so to be received shall be so much Money received by or to the Use of the Proprietors of the Mortgages, Bonds, or Debenture Stock of the Company; and so soon as the full Amount of the Interest and Costs has been so received the Power of such Receiver shall cease: Provided always, that such Receiver shall distribute, rateably and without Priority, among all the Proprietors of the said Mortgages, Bonds, and Debenture Stock respectively to whom Interest or Dividends shall be in arrear, the Tolls or Moneys which shall so come to his Hands.

Interest not to be paid on Calls paid up.

XIII. The Company shall not out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital of the Company; but nothing herein contained shall prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of

of the Calls already made as shall be in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845."

Deposits for future Bills not to be paid out of the Company's Capital.

XIV. It shall not be lawful for the Company, out of any Money under this Act or any other Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament now in force or hereafter to be in force may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or to execute any other Work or Undertaking.

Application of Moneys raised under this Act.

XV. All Sums of Money which the Company are hereby authorized to raise, either by way of additional Capital or in exercise of the Powers of borrowing herein-before given, shall be applied exclusively for the Purposes authorized by the Acts relating to the Company.

Power to purchase Land for widening a Portion of the Railway.

XVI. And whereas Plans showing the Lands, Houses, and other Property intended to be taken for the Purpose of widening a Portion of the Company's Railway situate in the Parish of *Saint Pancras* in the County of *Middlesex*, and a Book of Reference to such Plans, containing the Names of the Owners, Lessees, and Occupiers of the said Lands, Houses, and other Property, have been respectively deposited with the Clerk of the Peace for the said County of *Middlesex*: Be it enacted, That it shall be lawful for the Company, subject to the Provisions in this Act and in "The Lands Clauses Consolidation Act, 1845," contained, to enter upon, take, and use, either compulsorily or by Agreement, such Houses, Lands, and other Property, or any Part or Parts thereof, for the Purposes of their Undertaking; but the Power of taking the same compulsorily shall not be exercised after the Space of Three Years from the passing of this Act.

Power to construct additional Works.

XVII. Subject to the Provisions and Restrictions in "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," and in this Act respectively contained, the Company may make, construct, erect, complete, and maintain all such additional Lines of Railway, and Sidings, Bridges, Stations, Depôts, Warehouses, Wharves, Machinery, and other Works, in, through, over, or upon the Lands delineated in the Plans and described in the Book of Reference deposited with the Clerk of the Peace for the County of *Middlesex*, and according to the Directions and Levels shown on the said Plans, or on the Sections deposited therewith, or according to such Alterations thereof or with such Deviations therefrom as may be authorized by "The Railways Clauses Consolidation Act, 1845," and may also, subject as aforesaid,

widen or otherwise alter all existing Bridges and Viaducts within the Limits shown upon the said Plans and Sections respectively.

Regulating the Crossings over the Metropolis Roads.

XVIII. And whereas the widening of the Company's Railway authorized by this Act is intended to extend over the *Camden Town* New Road leading from *Camden Town* to *Holloway Road* and the *Kentish Town Road*, Two of the Roads under the Care of the Commissioners of the Metropolis Turnpike Roads North of the *Thames*, and such widening is intended to be on the North Side of the present Bridges carrying the Company's Railway over the said Roads, leaving the Surface of the said Roads untouched: Therefore it shall not be lawful for the Company to alter the present Level or Width or in any Manner to interfere with the Surface of either of the said Roads over which the said Railway is to be carried as aforesaid, or of the Footpaths of such Roads, or any Parts thereof; and the Company shall leave a clear Height or Headway under the said Arches from the Surface of the said Roads and Footpaths, and every Part thereof equal to the Height of the Bridges carrying the existing Railway over the said respective Roads, and the said Bridges shall be of such a Span as shall leave clear and untouched the whole of the present Width of the said Roads and Footpaths respectively over which the said widened Railway is to be carried, and each of the said Bridges on the North Side thereof respectively shall have Parapet Walls of not less than the Height of the existing Parapet Walls above the Surface of the said Railway, and from both Ends of the said Parapet Walls of each of the said Bridges there shall be Screen Walls or Close Fences, each One hundred Feet in Length at the least, and such Screen Walls or Close Fences shall be carried to the same Height with the said Parapet Walls respectively.

Works connected with such Crossings to be completed within Six Months from Commencement.

XIX. The Company shall finish and complete, to the Satisfaction of the General Surveyor of the Metropolis Roads for the Time being, the said Arches, Parapet Walls, Return Walls, and all other Works, Matters, and Things herein-before mentioned, and required to be made or done by the Company, within Six Months from the Day on which the said Turnpike Road over which each such Arch is to be carried shall be first interfered with, or the Use of the same Road by the Public in any way interrupted, or such other Time as the said Commissioners may agree upon.

Alterations may be made in the Works, with the Consent of the Commissioners of the

XX. It shall be lawful for the said Commissioners and Company to agree with each other for the carrying of the said Railway over the said Turnpike Roads or either of them in any other Manner than is herein-before mentioned or provided for, and for the making, doing, and maintaining by the Company of all such Works, Matters, and Things as may be

be necessary or expedient for the Purposes aforesaid; and in case of any such Agreement it shall not be binding on the Company to do such of the Works, Matters, and Things herein-before or in the said recited Acts required to be done by them as shall be by the said Agreement expressly dispensed with by the said Commissioners. Metropolis Roads.

All Works connected with the Metropolis Turnpike Roads to be under the Superintendence of the General Surveyor of the Commissioners.

XXI. The said Arches, Parapet and Return Walls, and all other Works connected with the crossing of the said Metropolis Turnpike Roads, and also all Repairs and Renewals of the said Arches, Walls, and Works respectively which shall hereafter be made by the Company, shall be constructed and made and formed under the Direction and Superintendence from Time to Time of the said General Surveyor for the Time being, and that the Plans and Designs for the said Arches and the Works connected therewith (which shall respectively be as ornamental as shall be consistent with the Nature and Situation of the Work and the Design of the Company's existing Railway), and the Materials whereof the same shall be constructed, shall be such as shall be approved of by the said General Surveyor for the Time being; and in case in the Construction of the said Arches and Works or any of them the Company shall do or cause any Injury or Damage to the said Turnpike Roads or any of them or any Part thereof, and shall not forthwith proceed to repair and make good such Injury or Damage to the Satisfaction of the said General Surveyor for the Time being, or if by reason of the Construction of any of the Works hereby authorized or required to be constructed by the Company any Alteration of the said Metropolis Roads or any of them, or of the Drains or Sewers under the same, shall in the Judgment of the said General Surveyor for the Time being be rendered necessary, then and in any of such Cases it shall be lawful for the said General Surveyor to cause all such Repairs and Alterations to be made as he in his Discretion shall think fit, and all Costs and Expenses of such Repairs and Alterations shall be paid, on Demand, by the Company, or in default of Payment for Twenty-one Days after such Demand may be recovered by the said Commissioners of the Metropolis Roads from the Company, with full Costs of Suit, by Action in any Court of competent Jurisdiction.

If Company fail to keep Works connected with Roads in repair, the Commissioners may repair the same at Expense of Company.

XXII. That if and so often as the Company shall fail to repair and keep in good and complete Repair, to the Satisfaction of the said General Surveyor for the Time being, the said Arches, Walls, and other Works connected with crossing the said Turnpike Roads or either of them, and if, after Notice thereof given to the Company by or on behalf of the said Commissioners of the Metropolis Turnpike Roads North of the *Thames*, the Company shall not for the Space of Three Days commence such Repair, and proceed therein with all reasonable Expedition until the same shall be completed, it shall be lawful for the said Commissioners to proceed

proceed to repair and make good the same, causing as little Obstruction to the said Railway in the Progress of such Repairs as may be; and all the Costs, Charges, and Expenses incurred by the said Commissioners shall be paid, on Demand, by the Company, or on Failure of Payment for Twenty-one Days after such Demand the same may be recovered from the Company, with full Costs of Suit, by Action in any Court of competent Jurisdiction.

For Protection of Sewers under Control of Metropolitan Board of Works.

XXIII. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of, or so as prejudicially to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Metropolitan Board of Works, or with any Sewers or Works to be made or executed by the said Board, or shall or may in any way prejudicially affect the Sewerage or Drainage of the Districts under their Control, or of any District Board or Vestry, the Company shall not commence such Work until they shall have given to the said Board, or to the District Board or Vestry, as the Case may be, Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of the said Boards or Vestry, as the Case may be, for the Time being, with a Plan and Section showing the Course and Inclination thereof and other necessary Particulars relating thereto, and until the said Boards or Vestry respectively shall have signified their Approval of the same, unless the said Boards or Vestry, as the Case may be, do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plans, Sections, and Particulars as aforesaid; and the Company shall comply with and conform to all Directions and Regulations of the Boards or Vestry in the Execution of the said Works, and shall provide, by new, altered, or substituted Works, in such Manner as the said Boards or Vestry may deem necessary, 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 Boards and Vestry 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 Boards and Vestry, as the Case may be, at the Costs, Charges, and Expenses in all respects of the Company; 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 Boards and Vestry 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

Authorities vested or to be vested in the said Boards and Vestries or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

Provision as to Payment of certain Rates in the Parish of Saint Pancras.

XXIV. The Provision of the 133rd Section of "The Lands Clauses Consolidation Act, 1845," with respect to the Payment of Land Tax and Poor's Rate, shall, as to the Works to be constructed under the Authority of this Act, extend to all Rates now chargeable upon Property in the Parish of *Saint Pancras*.

Tolls and Charges.

XXV. It shall be lawful for the Company to demand and receive, in respect of the Use of the Railways by this Act authorized, and of the Engines and Carriages employed by them thereon, the same Tolls and Charges as by the Acts now in force relating to the Company they are entitled to demand and receive in respect of the Use of their existing Railways.

Conferring certain Rights of using Portions of Maiden Lane.

XXVI. Notwithstanding any Provisions contained in the Local and Personal Act of the Twentieth and Twenty-first Years of Queen *Victoria*, Chapter Twenty-one, it shall be lawful for the Company and their Agents and Servants, and all Drovers and other Persons using their Railway, at all Times to conduct or drive Oxen, Sheep, Swine, or other Cattle from and to the Railway Station and Land of the Company and the new Cattle Market respectively in, over, and upon such Portion of the public Road or Highway known as *York Road*, otherwise *Maiden Lane*, in the Parish of *Saint Mary, Islington*, in the County of *Middlesex*, as lies between the Southern Boundary of the Company's Cattle Station and the Northern Boundary of the new Cattle Market: Provided always, that no Oxen, Sheep, Swine, or other Cattle shall be so conducted or driven on any *Sunday* between the Hours of Two of the Clock in the Afternoon and Six of the Clock in the Afternoon; and if any Agent or Servant of the said Company, or any Drover or other Person using their Railway, shall so conduct or drive Oxen, Sheep, Swine, or other Cattle between the said last-mentioned Hours, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in the Manner and under the Provisions contained in the "*Islington* Parish Act, 1857," Section Three.

Railway not exempt from Provisions of present and future General Acts.

XXVII. Nothing in this Act contained shall be deemed or construed to exempt the Railway of the Company from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the Rates for small Parcels, and of the maximum Rates of

Fares and Charges authorized to be taken by the Acts relating to the Company.

Expenses of Act.

XXVIII. All the Costs, Charges, and Expenses of and attending the passing of this Act or incidental thereto shall be paid by the Company.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1860.