ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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Cap. ccxlvi.

An Act to empower the *North London* Railway Company to construct additional Works at *Poplar;* and for other Purposes.

[25th *July* 1864.]

WHEREAS the *North London* Railway Company are possessed of a Dock or Basin at the Terminus of their Railway, near the *West India* Docks, and it is expedient that they should be empowered to make further and better Regulations in respect of the Use of the said Dock or Basin, and also in order to provide for their increasing Traffic, that they should have Power to construct a new Dock or Basin, with the requisite Entrances and Works connected therewith: And whereas it is also expedient to authorize the Company to widen the Bridge now carrying their Railway over the Railway of the *London and Blackwall* Railway Company at *Poplar*, and to construct another Bridge over the said Railway of the *London and Blackwall* Railway Company to the Eastward of the present Bridge, and also to enable the Company, in the Construction of their *City Branch* Railway authorized by "The *North London* Railway (*City Branch*) Act, 1861," to stop up the Road and public Footpath herein-after respectively mentioned, and to divert a certain Road called *Roseberry Place;* and it is also ex- 24 & 25 Vict. c. cxcvi.

pedient

pedient to empower the Company to purchase, or acquire by Compulsion or otherwise, additional Lands and Houses in connexion with their Undertaking: And whereas Plans and Sections, showing the Line and Levels of the proposed new Dock, and of the Bridges over the *London and Blackwall* Railway, and the Lands and Houses which may be required to be taken for such Purpose, and Plans of the Roads proposed to be stopped up or diverted, and of the Lands and Houses which the Company may purchase under this Act, together with a Book of Reference to such Plans, have been deposited with the Clerk of the Peace for the County of *Middlesex*: And whereas it is expedient to give Powers to the said Company to raise additional Capital for the Purposes aforesaid, or some of them: 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; (that is to say,)

Short Title.

1. In citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression, "The *North London* Railway (Additional Powers) Act, 1864."

Interpretation of Terms.

2. Throughout this Act the Expression "the Company" shall mean the *North London* Railway Company, and in this Act or any Act incorporated herewith, the Expression "Superior Courts," or "Court of competent Jurisdiction," or other like Expression, shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

8 & 9 Vict. cc. 16., 18., & 20., and 23 & 24 Vict. c. 106. incorporated.

3. The Provisions of "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, so far as the same respectively are applicable to the Objects and Purposes of this Act, and are not expressly varied or altered by this Act.

Definition of Term "Parish Clerk."

4. In construing in connexion with this Act "The Railways Clauses Consolidation Act, 1845," the Term "Parish Clerks" in the last-mentioned Act shall, 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 now required to be deposited with the Vestry Clerk of the Parish, or with the Clerk of the District Board of Works for the District in which the Parish or Extra-

Extra-parochial Place is included, mean in the First Case the Vestry Clerks of those Parishes, and in the Second Place the Clerks of those District Boards.

Certain Portions of 10 & 11 Vict. c. 27. to apply to existing Dock or Basin of Company.

5. The Provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," so far as the same are applicable to the Purposes of this Act, are incorporated with this Act, and shall extend to the Docks and Works in connexion therewith by this Act authorized, and also (except the Provisions thereof relating to the Construction of the Harbour, Dock, or Pier) to the Dock or Basin now belonging to the Company: Provided nevertheless, that the Provisions of the said Act with respect to Lifeboats, and with respect to keeping a Tide and Weather Gauge, shall not be in force for the Purposes of this Act, except so far as from Time to Time the Board of Trade, by Notice in Writing to the Company, may require them to provide any Works or Conveniences according to those Provisions respectively.

Power to purchase Lands.

6. Subject to the Provisions in this Act and in the incorporated Acts contained, the Company may enter upon, take, and use all or any of the Lands and other Property shown on the Plans and described in the Book of Reference so deposited as aforesaid, but the Power of taking the same compulsorily shall not be exercised after the Space of Three Years from the passing of this Act: Provided, that nothing in this Act contained shall confer on the Company any further powers than they now possess with reference to any of the said Lands which are situate in the Parish of *Saint Botolph, Bishopsgate*, in the City of *London*.

Power to construct additional Works and Dock.

7. Subject to the Restrictions and Provisions in this Act and of the Acts wholly or partially incorporated herewith contained, the Company may make and widen, as shown upon the deposited Plans and Sections, and may from Time to Time maintain the additional Bridges and Works over the *London and Blackwall* Railway and the new Dock or Basin, together with the respective Cuts leading thereto, and all necessary Works and Conveniences connected therewith, upon the Lands delineated on the Plans and described in the Book of Reference deposited as aforesaid; but the Cut leading from the new Dock or Basin direct to the *Blackwall* Basin of the *East and West India* Docks shall not be constructed without the Consent in Writing of the *East and West India* Dock Company, nor shall the Company be entitled to purchase any of the Land belonging to the said Dock Company lying between the new Dock or Basin and the *Blackwall* Basin without such Consent.

Company not to open new Dock

8. The Company shall not open for public Use the new Dock or Basin by this Act authorized, or admit Water into it from their existing

until they open a Cut from existing Dock Eastward.

existing Railway Dock, until they shall have constructed and opened for public Use a Cut from their existing Railway Dock Eastward into the *Thames* between *Blackwall Stairs* and *Northumberland Wharf*.

Covenants of Lease of 1st July 1857 to extend to new Dock.

9. All the Covenants, Stipulations, and Agreements contained in the Lease of the Company's existing Railway Dock bearing Date the First Day of *July* One thousand eight hundred and fifty-seven, and made between the *East and West India* Dock Company of the one Part and the Company of the other Part (except the Covenants for the Payment of Rent and Taxes), shall be applicable and extend to the new Dock or Basin hereby authorized, and to the Use of the same by the Company.

Covenants, &c. herein named to extend to Lands acquired from East and West India Dock Company.

10. All the Covenants, Stipulations, and Agreements contained in the Deed of Conveyance and Deed of Covenant respectively bearing Date the First Day of *July* One thousand eight hundred and fifty-seven, and made between the *East and West India* Dock Company of the one Part and the Company of the other Part, shall be applicable and extend to all Lands acquired by the Company from the *East and West India* Dock Company under the Authority of this Act.

Nothing to prejudice Rights, &c. vested in East and West India Dock Companies.

11. Except as by this Act expressly provided nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, abridge, or in any way affect any of the Rights, Privileges, Powers, or Authorities vested in the *East and West India* Dock Company; but saving and reserving to such Company all the Rights, Privileges, Powers, and Authorities to them belonging; and also saving and reserving all such Powers, Authorities, and Provisions in the several Acts relating to the said Company as if this Act had not been passed.

As to the Construction of certain Works affecting the London and Blackwall Railway.

12. In constructing the Works authorized by this Act the Company shall be bound by and observe the following Provisions and Stipulations for the Protection of the *London and Blackwall* Railway Company, and no Alteration shall be made in the Works herein-after prescribed without the previous Consent in Writing of that Company under their Common Seal; (that is to say,)

The existing Bridge carrying the Railway of the Company over the *London and Blackwall* Railway shall, if the same be altered or widened under the Powers of this Act, be so constructed as to allow of the laying down by the *London and Blackwall* Railway Company of Two Lines of Railway in addition to the existing Lines of Railway at the Point of crossing, and the Opening or Openings for those additional Lines of Railway shall be placed

so

so as to admit of One Line of Railway being laid on each Side of the existing Lines of Railway, or of both of the additional Lines of Railway, on One Side of the existing Lines of Railway, as may be required by the Engineer for the Time being of the *London and Blackwall* Railway Company:

The new Bridge intended to be erected over the *London and Blackwall* Railway to the Eastward of the existing Bridge shall be of a Span of at least Forty-seven Feet, so as to admit of Two Lines of Railway being laid down along the *London and Blackwall* Railway, in addition to the Two existing Lines of Railway, and the Abutments of such new Bridge shall be placed in such Places as the Engineer for the Time being of the *London and Blackwall* Railway Company shall direct:

In respect of both the widened Bridge and the intended new Bridge, the clear Height from the upper Surface of the highest Rail on the *London and Blackwall* Railway to the lowest Points of the under Side of the respective Bridges shall be Eleven Feet Six Inches at the least:

Those respective Bridges shall be constructed of Brick, Stone, or Iron, and shall in all respects be designed, erected, and maintained to the reasonable Satisfaction of the Engineer for the Time being of the *London and Blackwall* Railway Company; all the Costs, Charges, and Expenses attending or consequent on the Erection and Maintenance of the said Bridges respectively shall be paid by the Company.

Footbridge to be provided at Harrow Lane.

13. If under the Powers of this Act the Lane called *Harrow Lane* or any Part thereof be stopped up, the Company shall erect and maintain a Footbridge in continuation of the existing Footbridge over the *London and Blackwall* Railway across any Land of the Company now forming *Harrow Lane* or contiguous thereto, so that free Access for Foot Passengers may be provided between *High Street, Poplar*, and the *Great Northern Depôt* of the *London and Blackwall* Railway Company.

Construction of Works under London and Blackwall Railway.

14. All Works affecting the *London and Blackwall* Railway shall be designed, executed, and repaired, and maintained to the reasonable Satisfaction of the Engineer for the Time being of the *London and Blackwall* Railway Company, and in such Manner as not to damage, endanger, or in anywise interfere with the free, safe, and uninterrupted working and Use of or Passage along the *London and Blackwall* Railway or the Works connected therewith.

Penalty in case of Obstruction or Injury of the

15. If by reason of any of the Works or Proceedings of the Company the *London and Blackwall* Railway or any of the Works connected therewith shall be injured or damaged, such Injury or Damage

Works of the London and Blackwall Railway Company.

Damage shall be forthwith made good by the Company at their own Expense, or, in the event of their failing so to do, then the *London and Blackwall* Railway Company may make good the same, and recover the Expense thereof against the Company in any Court of competent Jurisdiction; and if any Interruption shall be occasioned to the Traffic of the *London and Blackwall* Railway by reason of any of the Operations of the Company, the Company shall on Demand pay to the *London and Blackwall* Railway Company all Costs and Expenses to which they may be put, as well as full Compensation for the Loss and Inconvenience sustained by them by reason of any such Interruption.

Saving Rights of the London and Blackwall Railway Company.

16. Except as by this Act expressly provided, nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, abridge, or in any way affect any of the Rights, Privileges, Powers, or Authorities vested in the *London and Blackwall* Railway Company, but saving and reserving to such Company all the Rights, Privileges, Powers, and Authorities to them belonging, and also saving and reserving all such Powers, Authorities, and Provisions in the several Acts relating to the said Company as if this Act had not been passed.

Power to divert Roseberry Place, &c.

17. Subject to the Provisions and Restrictions in this Act and the incorporated Acts contained, the Company may also divert the Road in the Parish of *Saint John, Hackney*, known as *Roseberry Place*, in manner shown upon the said Plans; and may in like Manner permanently stop up and appropriate for their Use Portions of a certain Road and a certain Footpath in the said Parish, respectively known as *Grange Road* and *Market Row, Dalston*, as respectively shown upon the said Plans, and the Site of so much of the said Road and Footpath respectively as shall be so stopped up and appropriated as aforesaid shall, from the Time of such stopping up and Appropriation thereof respectively, be absolutely vested in the Company.

Provision for new Road in lieu of Grange Road.

18. And whereas it is expedient, in order to obviate any Inconvenience to the Public which may be occasioned by the Stoppage of *Grange Road*, to provide for the widening of the same Road at its Junction with the *Kingsland Road*, and also to provide for the making of a new Road in continuation of *Richmond Road*, to be carried over the Railway by a Bridge, and thence in a Southerly Direction to *Grange Road*, with Gradients of not less than One in Twenty, according to a Plan already agreed upon between and signed in duplicate by the Engineer of the Company and the Surveyor of the *Hackney* District Board, or to carry out the same Object with such Variations as may hereafter be agreed upon between the Company and the said District Board: And whereas so much

much of the said intended new Road as will lie West of and including the necessary Alterations in the present Level of *Blomfield Street* can be constructed by the Company under their present Powers, but the Portion thereof between *Richmond Road* and *Blomfield Street* can only be constructed under the Powers of a future Act of Parliament: Therefore the Company shall forthwith, and before the opening for public Traffic of the Railway authorized by "The *North London* Railway (*City Branch*) Act, 1861," construct so much of the said Road, including the Bridge over the Railway, as lies to the West of *Blomfield Street*, and including the necessary Alterations in the Level of such Street, the Traffic along *Grange Road* being kept free and open until so much of the said Road and the said Bridge have been completed and opened for Traffic; and as to the Residue of the said Road, and as to the widening of *Grange Road*, the Company shall make and duly prosecute in the next Session of Parliament an Application (in which the District Board shall assist) for Powers to purchase the Shop and Premises situate and being Number 17, *Warwick Place, Kingsland Road*, and now occupied by *William Slawson*, situate at the North-west Corner of *Grange Road* and *Kingsland Road*, and also for Powers to purchase the Property situate on the East Side of *Blomfield Street*, and other Property necessary to complete the intended new Road through from *Blomfield Street* into the *Richmond Road*, according to the said Plan, or with such Variations as may be agreed upon as aforesaid; and if such Powers shall be obtained, will pull down the said Shop and Premises at the Corner of *Grange Road* and *Kingsland Road*, and will widen the first named of such Roads by throwing into it all the Ground now occupied by the said Shop and Premises, and will complete the said Road from *Richmond Road* to *Blomfield Street* on or before the Twenty-fourth Day of *June* One thousand eight hundred and sixty-six; and if the Company shall make Default either in making or duly prosecuting the said Application to Parliament, or in carrying out the said Powers when obtained, it shall be lawful for the Board of Works for the *Hackney* District to apply to Parliament for and obtain such Powers, and to carry out the same Works, and to charge the Company with all Expenses attendant thereon and on the Execution of the Powers thereby granted, and to recover the Amount of such Expenses by Action against the Company in any Court of competent Jurisdiction.

Company not to stop up, &c. Albert Street without Consent.

19. Nothing in this Act contained shall empower the Company to stop up or alter the present Level or Inclination of the public Road numbered 35A, and called *Albert Street*, on the deposited Plans, without the previous Consent in Writing of the Vestry of the Parish of *Saint Mary, Islington*.

20. The

Provision as to Land Tax and Poor's Rate in respect of Property in the Parish of St. Mary, Islington.

20. The Provisions of the One hundred and thirty-third Section of "The Lands Clauses Consolidation Act, 1845," with respect to the Payment of Land Tax and Poor's Rate, shall, as to any Lands or Property to be acquired under the Authority of this Act, extend to all Rates now chargeable upon Property in the Parish of *Saint Mary, Islington*.

For Protection of Sewers of Metropolitan and other Boards.

21. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of, or so as to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Metropolitan Board of Works, or of any Vestry or District Board constituted under "The Metropolis Local 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 Boards or Vestry 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 Work until they shall have given to the said Metropolitan 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 such Board or Vestry, as the Case may be, for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto; and until 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 Fourteen Days after Service of the said Plans, Sections, and Particulars as aforesaid; and the Company shall comply with and conform to all Orders, Directions, and Regulations of the said Metropolitan Board, and of the respective Boards or Vestries in the Execution of the said Works, and shall provide by new, altered, or substituted Works in such Manner as such Boards or Vestries respectively 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 Metropolitan Board, District 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 Metropolitan Board, District Board, or Vestry, as the Case may be, at the Costs, Charges, and Expenses in all respects of the Company; and all Costs, Charges, and Expenses which the said Metropolitan Board or any District Board or Vestry may be put to by reason of the Works of the Company, whether in the Execution of Works, the Preparation

Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Boards 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, District Boards, and 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 Metropolitan Board, District Boards, 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.

Limiting Period for Construction of Dock and Completion of Bridges over London and Blackwall Railway.

22. The new Dock or Basin, and the widening of the Bridge now carrying the *North London* Railway over the *London and Blackwall* Railway at *Poplar*, and the new Bridge over the last-mentioned Railway by this Act respectively authorized shall be completed within Five Years from the passing of this Act; and on the Expiration of that Period the Powers by this Act granted for making the same respectively, or otherwise in relation thereto, shall cease, except as to so much thereof respectively as shall then be completed.

Claims for Compensation by yearly Tenants to be settled as prescribed by Sect. 121. of 8 & 9 Vict. c. 18.

23. All Claims for Compensation made upon the Company under the Sixty-eighth Section of "The Lands Clauses Consolidation Act, 1845," and the Sixth Section of "The Railways Clauses Consolidation Act, 1845," or either of them, or under any Act relating to the Company which has incorporated these Acts or either of them, shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year, or from Year to Year, in the Lands or Houses in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Power to grant building Leases of superfluous Land.

24. And whereas the Company have, in the Construction of the Railways authorized by their several Acts, been compelled to purchase various Parcels of Building Land, and to purchase and pull down various Houses and Buildings, and the Sites thereof have not been wholly used, or will not be wholly required, for the Purposes of their Railways, and inasmuch as their Railways are wholly within the Metropolis, it is expedient that the Company should be enabled to grant Building Leases of Lands which they have purchased, but not used for the Purposes of the Railway, but without Prejudice to the Provisions of "The Lands Clauses Consolidation Act, 1845," requiring

quiring within the prescribed Period the Sale of superfluous Lands: Therefore the Company may from Time to Time grant Leases of any superfluous Lands from Time to Time held by them for such Terms of Years, at such Rents, and subject to such Covenants, Conditions, and Stipulations as the Company shall deem expedient with reference to the special Circumstances of each Demise, but every such Lease shall be granted within the Period prescribed by "The Lands Clauses Consolidation Act, 1845," for the Sale of superfluous Lands as applicable to such respective Lands: Provided always, that whenever, by Sale to various Owners or otherwise, the Reversion upon any such Lease shall be severed, the Rent may be apportioned by Agreement between such Owners, and if such Apportionment be not so settled, the same shall be settled by an Arbitrator appointed by the Board of Trade; and after such Apportionment, the Owner of each Part of the Reversion shall, in respect of the apportioned Rent allotted or belonging to him, have the Benefit of all Conditions or Powers of Re-entry for Nonpayment of the original Rent in like Manner as if such Conditions or Powers had been reserved to him as incident to his Part of the Reversion in respect of the apportioned Rent allotted or belonging to him.

Tolls and Charges.

25. It shall be lawful for the Company to demand and receive in respect of any Vessel using the existing Dock or Basin of the Company, or any Dock or Basin to be constructed under this Act, any Tolls, Rates, and Charges not exceeding the Tolls, Rates, and Charges for the Time being payable to the *East and West India* Dock Company in respect of Vessels of a like Description using their Docks.

Rates for the Use of Cranes, Weighing Machines, &c.

26. It shall be lawful for the Company to demand and receive for the Use of their Warehouses, Cranes, Weighing and Measuring Machines, of or from the Owner or Person having the Charge of any Goods, Articles, or Things deposited in such Warehouses, or loaded or unloaded, weighed or measured by means of such Cranes, Weighing and Measuring Machines, such reasonable Rates as the Company shall from Time to Time appoint.

Limits within which Dock Master may exercise his Authority.

27. The Limits within which the Powers of the Dock Master for the Regulation of the Company's Docks or Basins shall be exercised shall be the Docks and Basins of the Company and the Works and Premises connected therewith, excepting the Cut connecting the Railway Dock with the *Blackwall* Basin of the *East and West India* Dock Company, and the Locks, Gates, and Works belonging thereto, which Locks, Gates, and Works shall always continue and be under the Control of the said Dock Company.

28. The

Officers of Customs to have free Access to Docks without Payment of Toll.

28. The Company shall permit all Officers of Customs, being in the Execution of their Duty, to have free Ingress and Egress into and out of the Docks and Basins of the Company and the Premises connected therewith, and through the Gates and Entrances of the same, and also freely to pass with their Vessels and Boats through the Locks and Water Communications of the said Docks, Basins, and Premises at all Times (provided the State of the Tide and Water Communications of the said Docks, Basins, and Premises will permit of such passing) without Payment of any Toll or Sum for so doing.

Power to appoint Meters and Weighers.

29. The Company may appoint and license such Number of Persons as they from Time to Time think fit to be Meters and Weighers within the Limits of this Act.

Power to raise additional Capital by new Shares.

30. The Company (in addition to the Sums of Money which by any other Act or Acts they may be authorized to raise) may from Time to Time raise, by the Creation of new Shares in the Undertaking of the Company, either wholly or partially ordinary Shares, or wholly or partially preferential Shares, as the Company shall think fit, any Sum not exceeding Fifty thousand Pounds; and the Provisions of Part II. of "The Companies Clauses Act, 1863," relating to Additional Capital, shall be incorporated with this Act in reference to such further Capital.

Shares not to issue until One Fifth paid up.

31. It shall not be lawful for the Company to 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 Part of the Amount of such Share shall have been paid in respect thereof.

Votes of new Shareholders.

32. Unless the Company shall, by Resolution at the Meeting authorizing the raising of such Capital, otherwise determine, all new Shares and Stock in the Company created under the Powers of this Act shall, in proportion to the aggregate nominal Value of such Shares or Stock held by the same Person at the same Time, confer the like Qualifications and Right of Voting as original Stock of the same aggregate Value would confer.

Power to raise Capital under any other Act of this Session and this Act by new Shares of One Class.

33. If by any other Act passed in the present Session of Parliament, whether before or after the passing of this Act, the Company be authorized to raise any Capital by new Shares, then, subject to the Provisions of the other Act and this Act respectively, the Company may if they think fit raise, by the Creation and Issue of new Shares of one and the same Class, all or any Part of the aggregate Capital which they are by the other Act and this Act respectively authorized to raise by the Creation and Issue of new Shares.

34. After

Power to borrow on Mortgage.

34. After Shares for the whole of the Sum by this Act authorized to be raised by Shares shall have been issued and taken up, and One Half of such Sum shall have been actually paid up, and it shall have been proved to the Justice who is to certify under the Provisions of the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for all the Capital which the Company are by this Act authorized to raise by the Creation of new Shares have been issued and accepted, and that not less than One Fifth Part of the Amount thereof has been paid on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares were issued *bonâ fide* and are held by Persons or their Assigns, and for which such Persons or their Assigns are legally liable, 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 Sixteen thousand six hundred Pounds, in addition to the Sums which the Company were authorized to borrow under any other Act, and to secure the Payment of the Sums to be borrowed, with Interest, by Mortgage of the Undertaking.

Former Mortgages to have Priority.

35. 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.

36. No Mortgages to be created 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 Capital to be raised under this Act.

37. 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, 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 to be created under the existing Acts.

Power to London and North-western Company to take their

38. The *London and North-western* Railway Company (with the Consent of Three Fifths at least of the Votes of the Proprietors of that Company present, personally or by proxy, at some General Meeting of that Company specially convened for the Purpose) may take

take and hold such Proportion of the new Shares in the Undertaking of the *North London* Railway created by virtue of this Act as they may be entitled to in respect of the Shares now held by them in that Undertaking, and may pay the Amount of the Calls from Time to Time made thereon out of any Monies now or hereafter under their Control, and not required for the Purposes for which the same was specially authorized to be raised: Provided that the *London and North-western* Railway Company shall not at any Time hereafter dispose of or transfer any Shares in the Undertaking of the *North London* Railway Company acquired by them under the Provisions of this Act.

proportionate Amount of the new Share Capital.

39. For the Purpose of enabling the *London and North-western* Railway Company to take the Proportion of the new Shares in the Undertaking of the *North London* Railway created by virtue of this Act, to which they may be entitled in respect of the Shares now held by them in that Undertaking, they may (in addition to any Sum or Sums of Money which they are already authorized to raise, or may be authorized to raise by any other Act or Acts passed in the present Session of Parliament) from Time to Time raise, by the Creation of new Shares in their own Undertaking, such Sum or Sums of Money as may be necessary for that Purpose, and may create and issue such Shares, either wholly or partially as ordinary, or wholly or partially as preferential Shares, as they may think fit; and the Provisions of Part II. of "The Companies Clauses Act, 1863" (relating to Additional Capital), shall be incorporated with this Act in reference to the Shares to be created by the *London and North-western* Railway Company; and the Expression "the Company" in that Act shall, with respect to such Shares, be held to mean the *London and North-western* Railway Company: Provided always, that no Share shall be issued by the *London and North-western* Railway Company, or shall vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid in respect thereof.

Power for London and North-western Company to raise additional Capital.

40. Except as is by this Act otherwise provided, the new Share Capital created by the *London and North-western* Railway Company under this Act and the Shares therein, and the Holders of those Shares respectively, shall (subject to the Provisions of this Act) be subject and entitled to the same Powers, Provisions, Forfeitures, Liabilities, Rights, Privileges, and Incidents whatsoever in all respects as if that new Capital were Part of the now existing ordinary Share Capital of that Company, and those Shares were Shares in that ordinary Capital.

New Capital of London and North-western Company.

41. Every Person who becomes entitled to a new Share created by the *London and North-western* Railway Company under this Act shall

Dividends on new Shares created by

London and North-western Company.

shall in respect to the same be a Shareholder in that Company, and shall be entitled to a Dividend (either preferential or ordinary as the Case may be) with the other Holders of the same Class or Description of Shares, proportioned to the whole Amount from Time to Time called and paid on such new Shares.

Votes and Qualifications in respect of new Shares created by the London and North-western Company.

42. The Holders of the new Shares created by the *London and North-western* Railway Company under this Act shall have Rights of voting and Qualifications in respect thereof, upon the Principle that each Sum of One hundred Pounds paid up in respect of the new Shares 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 by any Resolution of the *London and North-western* Railway Company) no Person shall be entitled to vote in respect of any Share created or issued by them under this Act to which a preferential Dividend shall be assigned.

Power to London and North-western Company to raise Capital under any other Act of this Session and this Act by new Shares of One Class.

43. If by any other Act passed in the present Session of Parliament, whether before or after the passing of this Act, the *London and North-western* Railway Company be authorized to raise any Capital by new Shares, then subject to the Provisions of the other Act and this Act respectively, that Company, if they think fit, may raise by the Creation and Issue of Shares of one and the same Class all or any Part of the aggregate Capital which they are by the other Act and this Act respectively authorized to raise by the Creation and Issue of new Shares.

Power to London and North-western Company to raise Money by the Creation of Stock instead of by Creation of Shares.

44. The *London and North-western* Railway Company may raise by the Creation of Stock, in such Manner and subject to such Conditions as they shall think fit, any Money which they are by this Act authorized to raise by the Creation of new Shares in lieu of issuing Shares for the same, and may direct that such Stock shall be paid up in full at once or by Instalments, as the said Company think fit: Provided that the nominal Amount of the Stock issued by the *London and North-western* Railway Company shall not exceed the Amount of the Monies actually received by them in respect of such Stock.

Application of Money raised under this Act.

45. All Sums of Money which the Company or the *London and North-western* Railway Company are by this Act authorized to raise, either by way of additional Capital or by borrowing, shall be applied exclusively in the first instance for the Purposes authorized by this Act, and subject thereto for the Purposes authorized by the other Acts relating to the Company.

46. The

Interest not to be paid on Calls paid up.

46. The Company and the *London and North-western* Railway Company respectively shall not, out of any Money by this Act or any other Act relating to either of the said Companies 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 either of the said Companies respectively; but nothing herein contained shall prevent either of the said Companies from paying to any Shareholder such Interest on Money advanced by him beyond the Amount 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 Capital.

47. It shall not be lawful for the Company or for the *London and North-western* Railway Company, out of any Money under this Act or any other Act relating to either of the said Companies 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 or the *London and North-western* Railway Company to construct any other Railway, or to execute any other Work or Undertaking.

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

48. 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.

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

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