



ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

Cap. cix.

An Act to extend the Times limited for certain Purposes by the Acts relating to the *Metropolitan Railway*, and to enable the *Metropolitan Railway Company* to form a Junction with the *Great Northern Railway*, and for other Purposes.

[21st July 1856.]

WHEREAS by Two Acts, intituled “The *Metropolitan Railway Act*, 1854,” (in this Act called the Act of 1854,) and “The *Metropolitan Railway (Deviation) Act*, 1855,” (in this Act called the Act of 1855,) the *Metropolitan Railway Company* were incorporated, and empowered to make a Railway from the *Great Western Railway* to the General Post Office in *Saint Martin’s-le-Grand*, with other Works connected therewith: And whereas the Company were by the Act of 1855 required to make a Junction with the *Great Northern Railway* by a continuous Line of Rails, and without the Use of Hoists and Turn-tables: And whereas the Powers of the Company conferred by the said Acts have been found insufficient to enable them to form such Junction in such Manner as is required by the Act of 1855, and it is expedient to enable the Company to make the Branch Railway herein-after described for such Purpose: And whereas Part of the Undertaking was originally sanctioned by an Act, intituled “The *North Metropolitan Railway Act*, 1853,” (in this Act called the Act of 1853,) which was repealed by the Act of 1854, but the Powers of making the Railway and Works authorized by the Act of 1853 were, except as to small Part thereof,

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thereof, continued and re-enacted in the Act of 1854: And whereas it is expedient that the Time limited by the Act of 1854 for the compulsory Purchase of the Lands which were originally authorized to be taken by the Act of 1853, and for the Completion of the Works comprised in such last-mentioned Act, should be extended, and also that the Period limited for the taking and Conveyance of the Lands, Buildings, and Premises known as the House of Correction in *Coldbath Fields* should be enlarged: And whereas Shareholders may be desirous of dividing their Shares into Two Classes, and of giving certain Priorities in Payment of Interest or Dividend upon the one Class of Shares over the Shares in the other Class, and it is expedient to authorize such Arrangements, if any Shareholders think fit to enter into the same, subject to the Conditions herein-after mentioned: And whereas it is expedient that the recited Acts be altered, amended, and enlarged in other respects; but the 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,)

Interpreta-
tion of
Terms.

I. In this Act the following Words and Expressions shall have for the Purposes of this Act the following Meanings, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Company" shall be held to mean the *Metropolitan* Railway Company:

The Expression "the original Railway" shall be held to mean the Railway and Works authorized by the Act of 1853, and the Powers for making which were continued and re-enacted by the Act of 1854:

The Expression "the additional Railways" shall be held to mean the Railways and Works authorized by the Act of 1854 and the Act of 1855, which were authorized by such Acts, but were not included in the Act of 1853.

Short Title.

II. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Metropolitan* Railway (*Great Northern Branch and Amendment*) Act, 1856."

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

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

Description
of Works.

IV. It shall be lawful for the Company to make and maintain a Branch Railway to commence from and out of the authorized Line of the *Metropolitan* Railway at or near a Point marked as Two Miles Five

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Five Furlongs from the Commencement of the Line of Railway, as shown on the Plans and Sections referred to in the Twenty-seventh Section of the Act of 1854, in the Parish of *Saint Pancras* in the County of *Middlesex*, and to terminate by a Junction with the *Great Northern* Railway at or near the Southern Entrance to the Tunnel under the *Regent's* Canal in the Parish and County aforesaid, the whole of such Branch Railway, and the Works connected therewith, to be situate in the Parishes of *Saint Pancras* and *Saint Mary Islington*, or one of them, in the said County of *Middlesex*.

V. And whereas Plans and Sections describing the Line and Levels of the Branch Railway, and also the Lands which by virtue of this Act are intended to be or may be taken or used for the Purposes of such Branch Railway, and also Books of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands, have been deposited with the Clerk of the Peace for the County of *Middlesex*: Therefore, subject to the Provisions in this Act, and in "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," contained, and to the Powers of Deviation in such last-mentioned Act and in the recited Act of 1854 contained, it shall be lawful for the Company to make and maintain the said Branch Railway and other Works upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the Lands described upon the said Plans and in the said Books of Reference as may be necessary for such Purposes: Provided always, that it shall not be lawful for the said Company to deviate from the Centre Line laid down on the said Plan, or to interfere with the Passenger Station of the *Great Northern* Railway, within the Limits of Deviation shown on the said Plan, without the Consent in Writing of the *Great Northern* Railway Company for that Purpose first had and obtained.

Power to make Works according to deposited Plans.

VI. All the Powers, Provisions, and Regulations contained in Sections Seventy-three, Seventy-four, Seventy-five, Seventy-six, Seventy-seven, Seventy-eight, Seventy-nine, and Eighty of the Act of 1854, relating to the conveying the Railway by that Act authorized under the *Old Saint Pancras* Road, shall be deemed to extend and shall apply to the carrying the Branch Railway by this Act authorized under the same Road, in the same Manner and as fully and effectually to all Intents and Purposes as if those Sections had been repeated in this Act, and made applicable to the said Branch Railway by this Act authorized.

Sections 73. to 80. inclusive of 17 & 18 Vict. c. ccxxi. to apply to the carrying the Railway under the Old Saint Pancras Road.

VII. The Works authorized by this Act shall be completed within the Time limited by the Act of 1854 for the additional Railways.

Period for Completion of Work.

VIII. The

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Application
of existing
Capital.

VIII. The Company shall apply to the Construction of the Branch Railway and Works authorized to be made by this Act so much of the Moneys raised or authorized to be raised under the Powers of the several Acts relating to the Company, or any of them, as may be necessary for such Branch Railway and Works, and in order that the same may be constructed and opened for public Traffic at the same Time with the Railway and Works authorized to be constructed by the said recited Acts.

Branch to
be Part of
Under-
taking.

IX. Except as by this Act otherwise expressly provided, the Branch Railway by this Act authorized to be made shall for all Purposes be deemed Part of the additional Railways authorized by the Act of 1854, and all the Powers and Provisions of such Act shall apply to the said Branch Railway in the same Manner as if it had been Part of the authorized Line of the additional Railways comprised in such Act: Provided always, that it shall not be necessary that such Branch Railway be formed in any other Manner than may be necessary to adapt the same for Engines and Carriages on the Gauge of Four Feet Eight Inches and a Half.

For Protec-
tion of
Metropolitan
Board of
Works.

X. 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 in any Manner so as to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction, Management, Survey, or Control of the Metropolitan Board of Works, or shall or may in any Way affect the Sewerage or Drainage of the Districts under their Control, the said Company shall not commence such Work until they shall have given to the said Board Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of the said Board 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 Board shall have signified their Approval of the same, unless the said Board do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plan, Sections, and Particulars as aforesaid; and the said Company shall comply with and conform to all Directions and Regulations of the Board in the Execution of the said Works, and shall provide by new, altered, or substituted Works, in such Manner as the said Board may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Sewerage or Drainage of the Districts by or by reason of the said intended Works, or any Part thereof, and shall save harmless the said Board against all and every Expense to be occasioned thereby, and all such Works as may be so required shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Board, at the Costs, Charges, and Expenses in all respects of the said Company; and when any new, altered,

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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 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, or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

XI. It shall be lawful for the Company to demand and receive for and in respect of the Branch Railway and Works hereby authorized the same Tolls and Charges as they are by the Act of 1854 authorized to demand and receive for and in respect of the *Metropolitan Railway*: Provided always, that the maximum Tolls and Charges to be levied and received by the Company in respect of the said Branch Railway shall in no Case exceed the maximum Tolls and Charges authorized by the last-mentioned Act, and the said Branch Railway and Works shall for all the Purposes of Tolls be considered as Part of the said *Metropolitan Railway*.

Same Tolls as on Metropolitan Railway.

XII. The Powers for the compulsory Purchase or taking of Lands granted by the Act of 1854 for the Purpose of making the original Railway according to the Plans and Sections of the same, and Books of Reference thereto, deposited with the Clerk of the Peace for the County of *Middlesex*, shall continue in force in respect of the Lands authorized to be taken for such original Railway, and the Time limited for the compulsory Purchase of such Lands shall be extended until the Expiration of One Year from the Period limited by the Act of 1854 with respect to the compulsory Purchase of such Lands, and after the Expiration of such Period the Powers by the said recited Acts and by this Act granted for the compulsory Purchase of the Lands authorized to be taken for such original Railway shall cease to be exercised.

Extending Time for compulsory Purchase of Lands.

XIII. The Justices, Arbitrators, Umpires, or Juries respectively, as the Case may be, who under the Provisions of the said recited Acts or this Act shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Persons interested in any of the Lands authorized to be taken for the original Railway, and which may be taken and used for such Railway, or which may be injuriously affected by the Construction of such Railway, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage, if any, sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby authorized.

Parties aggrieved by Extension of Time being granted may have Compensation for additional Damage.

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XIV. Nothing

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Existing
Contracts
and Notices
to take
Lands not to
be affected.

XIV. Nothing herein contained shall in anywise prejudice or affect any Contracts entered into or Notices given by the Company before the passing of this Act for purchasing, taking, or using any Lands authorized to be taken for the said original Railway, but every such Contract and Notice respectively shall be construed and shall take effect, and the same Proceedings shall be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both at Law and in Equity, as if this Act had not been passed.

Period for
Completion
of Works
extended.

XV. The Time limited by the Act of 1854 for the Completion of the said original Railway shall be extended for the Period of One Year, to be computed from the Period limited for such Purpose by the Act of 1854; and on the Expiration of such extended Period the Powers by the said recited Acts and this Act granted to the Company for making such original Railway shall cease to be exercised, except as to so much of such original Railway as shall then be completed.

Extending
Time for
taking Cold-
bath Fields
Prison.

XVI. The Time limited by the Act of 1854 for the taking and Conveyance of the Land, Building, and Premises known as the House of Correction in *Coldbath Fields* shall be extended, and the Powers granted to the Company with reference thereto may be exercised until the Expiration of Three Years, to be computed from the passing of this Act.

17 & 18 Vict.
c. ccxxi.
to be con-
strued as if
the extended
Periods
given by
this Act
had been
originally
granted.

XVII. The Powers of the Act of 1854 for the compulsory Purchase of Lands, and for the making and Completion of Works, and the taking and Conveyance of the said *Coldbath Fields* Prison, which are by the Provisions of this Act extended for a further Period of Time, may be exercised by the Company in the same Manner as if such further Periods respectively had been originally granted in the Act of 1854 with reference to such compulsory Purchase of Land or Completion of the Works, and taking or Conveyance of the said Prison, as the Case may be.

Power to
divide
Shares and
Dividends
thereon.

XVIII. It shall be lawful for any Shareholder in the Company holding any Number of Shares in the Capital of the Company, such Number being divisible by Two, upon each of which Shares the Sum of Five Pounds has been paid, to require the Company to divide such Shares into Two Classes, consisting of an equal Number of such Shares in each Class, in manner following:

One Class shall be called "Class (A.) Shares deferred," and shall be deemed fully paid up, and no further Call shall be made in respect thereof:

The other Class of such Shares shall be called "Class (B.) Shares guaranteed," upon which no Sum of Money shall be deemed to have

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have been paid, except as herein-after mentioned, and Calls may be made and shall be payable upon such Shares up to the full nominal Value thereof; but if a larger Sum than Five Pounds *per Share* shall have been paid on the whole Number of Shares so to be divided, then the Excess beyond such Five Pounds *per Share* shall be deemed to have been paid on account of the Class (B.) Shares:

The whole of the Interest or Dividend which shall in each Half Year accrue or be declared in respect of all such Shares so divided shall be applied in or towards Payment in the first place of Interest or Dividend after the Rate of Six Pounds *per Centum per Annum* on the Amount paid upon the Class (B.) Shares, and the Remainder, if any, shall alone be payable upon the Class (A.) Shares up to the Rate of Six Pounds *per Centum per Annum*, and if any higher Dividends be declared beyond such Amount on the whole of the ordinary Share Capital of the Company, such surplus Dividend, so far as relates to such Shares so divided, shall be applicable as follows:—One Third Part thereof in Payment of an increased Dividend upon the Class (B.) Shares, and the Remainder shall be apportioned between and paid upon the Class (A.) Shares:

Provided always, that if the Company hereafter obtain Powers from Parliament to raise additional Capital, and upon such additional Capital to guarantee the Payment of Interest or Dividends in preference to the Payment thereof on the Ordinary Shares of the Company, then and in such Case the Shares herein-before authorized to be divided, whether guaranteed or deferred, shall be equally liable with the ordinary Shares of the Company to such Preference.

XIX. And whereas the Undertaking by the recited Acts authorized will, when connected by the Branch Railway and Works by this Act authorized, be beneficial to the *Great Northern Railway Company*, and it is expedient to enable them to subscribe thereto: And whereas the *Metropolitan Railway Company* are making Arrangements to proceed with that Portion of the Undertaking which is situated between the *Great Northern Railway* and the General Post Office: Therefore the *Great Northern Railway Company* may for the Purposes of the recited Acts and of this Act be Shareholders in the *Metropolitan Railway Company* to an Extent not exceeding One hundred and seventy-five thousand Pounds, to be registered in the Names of such Person or Persons as the Directors of the said Company may from Time to Time appoint, and may apply for such Purposes any Capital in their Possession or Control, or which they have raised or are now authorized to raise by Shares or borrowing under the Provisions of any Act or Acts relating to that Company; but no such Creation or Application of Capital shall take place unless the same be authorized by some Extraordinary Meeting of the *Great Northern Railway*

Power to
Great
Northern
Railway
Company to
subscribe.

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Railway Company, to be held subsequently to the passing of this Act; and with respect to such Subscription, the *Great Northern Railway Company* may exercise all the Rights of Shareholders in the Company.

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

XX. It shall not be lawful for the Company, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Act, 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.

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

XXI. Nothing herein contained shall be deemed or construed to exempt the said Railways by this or the said recited Acts authorized to be made, or the Company, from the Provisions of any General Act relating to such Acts, or 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 this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act or by the said recited Acts, or of Rates for small Parcels.

Saving Rights of the Crown.

XXII. Nothing contained in this Act, or in any of the Acts herein referred to, shall extend to authorize the said Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty first had and obtained for that Purpose, (which Consent such Commissioners are hereby respectively authorized to give,) or to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Expenses of Act.

XXIII. All Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or incident thereto, shall be paid by the Company.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1856.