

**CHAPTER civ.**

An Act to confer further powers upon the Great Northern Railway Company with respect to their own and other Undertakings to enable them to acquire the Undertaking of the Spilsby and Firsby Railway Company and for other purposes.

A.D. 1890.

[25th July 1890.]

**W**HEREAS it is expedient that the Great Northern Railway Company (who are meant when the term "the Company" is herein-after used) should be authorised—

To make and maintain the railways and works and to alter and divert the roads herein-after described ;

General purposes of Act.

To purchase and acquire additional lands for the purposes of their undertaking ; and

To raise capital for the purposes of this Act and also to raise additional capital for the improvement and enlargement of their railways stations and works and the construction of new stations and sidings and for the providing of additional rolling stock and other the general purposes of their undertaking :

Additional capital.

And whereas it is expedient that the Great Northern and Great Eastern Joint Committee constituted under the powers of the Great Northern and Great Eastern Railway Companies Act 1879 should be enabled to construct the works and exercise the powers herein-after described in the parts of Kesteven in Lincolnshire and that in connexion with such works the said Joint Committee and the Great Eastern Railway Company should be authorised to apply their existing funds :

Great Northern and Great Eastern Joint Committee. 42 &amp; 43 Vict. c. cx.

And whereas the West Riding Railway Committee constituted under the powers of the West Riding and Grimsby Railway (Transfer) Act 1866 and consisting of representatives of the Company and of the Manchester Sheffield and Lincolnshire Railway Company have acquired certain lands in the parish of Wragby in

West Riding Railway Committee 29 Vict. c. clxii.

A.D. 1890. the west riding of Yorkshire and it is expedient that such acquisition should be sanctioned and confirmed :

50 & 51 Vict.  
c. xciii. And whereas it is also expedient that the time limited for the compulsory acquisition of certain lands required for various purposes authorised by the Great Northern Railway Act 1887 should be extended :

Spilsby and  
Firsby Rail-  
way.  
28 & 29 Vict.  
c. ccxxxviii. And whereas by virtue of the Spilsby and Firsby Railway Act 1865 the company thereby incorporated (who are herein-after referred to as "the Spilsby Company") have constructed a railway commencing in the parish of Firsby in the parts of Lindsey in Lincolnshire by a junction with the East Lincolnshire Railway (a portion of the system of the Great Northern Railway) and terminating at Spilsby in the same county and in pursuance of the provisions of the said Act and of an agreement between the two companies dated the eleventh day of May one thousand eight hundred and sixty-five and scheduled to the said Act the Company have worked and are still working the Spilsby Railway :

And whereas the share capital of the Spilsby Company authorised by the said Act is twenty-five thousand pounds and under the powers of the said Act they were authorised to raise by mortgage eight thousand three hundred and thirty-three pounds :

And whereas it is expedient and will conduce to the usefulness of the Spilsby Railway that it should be transferred to the Company and that the terms of agreement with reference thereto set forth in the second schedule to this Act be confirmed :

38 & 39 Vict.  
c. ccvii.  
39 & 40 Vict.  
c. lxxxviii.  
41 & 42 Vict.  
c. xcvi. And whereas by the Sutton Bridge Dock Act 1875 the Sutton Bridge Dock Company were incorporated and were by that Act and by the Sutton Bridge Dock Act 1876 authorised to construct certain dock and railway works and by the Great Northern Railway (Further Powers) Act 1878 the Company were empowered to subscribe towards the undertaking of the said Sutton Bridge Dock Company :

And whereas the Company subscribed to the ordinary share capital of the Sutton Bridge Dock Company the sum of twenty thousand pounds and lent that company on mortgage the sum of thirty-five thousand pounds :

And whereas the said dock and railway works were in the year one thousand eight hundred and eighty-one completed and opened for public traffic but shortly thereafter the said dock was partially destroyed :

47 & 48 Vict.  
c. clxxxvi. And whereas by the Sutton Dock Act 1884 the time for the completion of the said undertaking was extended until the thirty-first day of December one thousand eight hundred and eighty-nine



in order to enable the Sutton Bridge Dock Company to restore the said works and render them available for public traffic : A.D. 1890.

And whereas it is expedient that the powers of the Sutton Bridge Dock Company for the execution of the said works should be revived and that the time limited therefor should be further extended :

And whereas by the Newark and Ollerton Railway Act 1887 the Newark and Ollerton Railway Company were incorporated and authorised to make a railway from North Muskham near Newark in the county of Nottingham to Ollerton in the same county and for that purpose to raise a share capital of one hundred and fifty thousand pounds and a loan capital of fifty thousand pounds and that company and the Company were by the said Act authorised to enter into and carry into effect agreements for the maintenance and working of the said railway by the Company : 50 & 51 Vict.  
c. lxix.

And whereas it is expedient that the Company should be authorised to guarantee a minimum dividend on the share capital of the Newark and Ollerton Railway Company or on some part thereof :

And whereas the mayor commonalty and citizens of the city of London being or claiming to be seized of certain lands in the said city appropriated or acquired by them for the London Central Markets and also of the soil of the street called Charterhouse Street and of certain land known as "Southern Roadway" have agreed subject to the sanction of Parliament to grant to the Company a lease for nine hundred and ninety-nine years of the basement already constructed and about to be constructed in or beneath the said pieces of land market buildings and streets together with certain means of access thereto by the inclined roadway from Snow Hill and Farringdon Street and it is expedient that the Company be authorised to accept such lease :

And whereas by the Boston Dock Act 1881 the mayor aldermen and burgesses of the borough of Boston (herein-after called "the Boston Corporation") were authorised (section 5) to construct docks at Boston and a short railway to connect the same with the railway of the Company and (section 6) to construct warehouses and other like works in connexion with their said docks and (sections 60 and 67) to borrow money for the purposes of the said docks and works on the security of their harbour revenue and of the borough fund and borough rate of the said borough and the Company and the Boston Corporation were authorised (section 59) to enter into agreements with respect to the use and working of all or any parts of the dock railway and works by that Act authorised and the Boston 44 & 45 Vict.  
c. cxii.

A.D. 1890. Corporation were authorised (section 24) to grant leases of the said warehouses and other conveniences connected therewith :

50 & 51 Vict.  
c. xciii.      And whereas under the powers of section 45 of the Great Northern Railway Act 1887 (in this Act called "the Act of 1887") the Company have lent to the Boston Corporation on the security of their harbour revenue and the borough fund and borough rate of the said borough the sum of £12,500 for the purpose of enabling that corporation to erect warehouses and granaries in connexion with their said docks :

And whereas the Boston Corporation have erected and completed the said warehouses and granaries and they are desirous to construct an additional warehouse and to further increase the accommodation for traffic at their said docks and it is expedient that the Company should subject to the provisions in this Act contained be authorised and empowered to advance by loan to the Boston Corporation for the purposes and upon the security herein-after specified such further sum not exceeding £24,500 as may be agreed on between the Boston Corporation and the Company :

Superfluous  
lands.

And whereas it is also expedient that the time prescribed for the sale of lands acquired by the Company and by the Company jointly with other companies under the powers of various Acts and not yet applied to the purposes of the undertakings in respect of which they were so acquired should be extended :

9 & 10 Vict.  
c. lxxi.

And whereas it is expedient that section 17 of the Great Northern Railway Act 1846 which requires the Company to insert in newspapers of the counties of Middlesex York and Lincoln all advertisements relating to their affairs should be repealed :

And whereas it is expedient that the other provisions herein-after contained should be made :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

And whereas plans and sections showing the lines and levels of the railways and other works authorised by this Act and the lands to be taken for the purposes thereof and plans of the additional lands authorised to be acquired under the powers of this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of all such lands so far as those documents relate to lands in each county or division herein-after mentioned were duly deposited with the clerks of the peace for the west riding of Yorkshire and for the counties of London Middlesex Hertford Northampton Nottingham and the parts of Kesteven in Lincolnshire and the said documents are herein-after



respectively referred to as the deposited plans sections and books of reference : A.D. 1890.

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 :—

1. This Act may be cited as the Great Northern Railway (Various Powers) Act 1890. Short title.

2. The following Acts and parts of Acts are (excepting where the same are expressly varied by this Act) incorporated with and form part of this Act namely :— Incorporation of general Acts.

The Lands Clauses Acts :

The Railways Clauses Consolidation Act 1845 : and

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

3. Subject to the provisions of this Act the provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say) :— Extending certain provisions of the Companies Clauses Consolidation Acts.

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 by the Company on mortgage or bond ;

The conversion of borrowed money into capital ;

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

shall be applicable to the capital and moneys hereby authorised to be raised by shares or stock or mortgage and to the proprietors thereof.

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Interpretation.

4. In this Act—

The several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction :

“The railways” means the railways by this Act authorised :

“Parish clerks” and “clerks of the several parishes” in sections 7, 8 and 9 of the Railways Clauses Consolidation Act 1845 shall with reference to the Company and as regards the parishes of Saint Pancras and Saint Mary Islington mean the vestry clerk of each of the said parishes respectively and as regards the parish of Saint Sepulchre and the liberty of Saffron Hill mean the clerk of the Holborn District Board of Works :

“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 :

And for the purposes of this Act the expression “superior courts” or “court of competent jurisdiction” or any other like expression in this Act or any Act wholly or partly incorporated herewith 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.

Power to make railways &c.

5. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the railways and works herein-after described with all proper stations sidings approaches works and conveniences connected therewith respectively and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes and may stop up such streets roads and footpaths as are shown on the said plans of the said railways and works as intended to be stopped up :

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

RAILWAY AT FARRINGTON STREET.—A Railway (No. 1) 4.14 chains in length wholly in the county of London commencing in that part of the parish of Saint Sepulchre which is without the city



of London by a junction with a siding of the Company in the Farringdon Street Goods Depôt and terminating in the same part of the same parish on property of or reputed to belong to the Company near the southern boundary of such property: A.D. 1890.

DEVIATION OF PUDSEY RAILWAY.—A Deviation Railway (No. 2) 1 furlong 9·90 chains in length wholly in the township of Pudsey in the parish of Calverley in the west riding of Yorkshire commencing at a point about one hundred and eighty yards north-east of the level crossing carrying the public road known as New Street over the said railway and terminating in the Pudsey Greenside Station.

6. Subject to the provisions of this Act the foregoing railways and the works connected therewith respectively executed under the authority of this Act shall for the purposes of tolls rates and charges and all other purposes whatsoever be part of the Great Northern Railway and be comprised in the undertaking of the Company. Railways to form part of Great Northern Railway.

7. If the railways authorised by this Act are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for making and completing the railways or otherwise in relation thereto shall cease except as to so much thereof as is then completed. Period for completion of railways.

8. If the Company fail to complete the railways which they are herein-before authorised to construct within the period limited by this Act the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway in the completion of which default is made is completed and opened for the public conveyance of passengers in the case of the deviation of Pudsey Railway and for the public conveyance of traffic in the case of the railway at Farringdon Street or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of such railway and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the solicitor to the Treasury and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate Penalty unless railways are opened within the time limited.

A.D. 1890.      to be obtained from the Board of Trade that the Company was prevented from completing or opening such railway by unforeseen accident or circumstances beyond their control. Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application  
of penalty.

9. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the court thinks fit to order on the application of the solicitor to the Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the court if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Inclination  
of roads.

10. In altering for the purposes of this Act the roads next herein-after mentioned the Company may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively (that is to say) :—

No. on deposited Plans.	Parish.	Description of Road.	Intended Inclination.
3	East Barnet - -	Public Road - -	1 in 16
16	Calverley -	Public Road - -	1 in 15



11. The Lancashire and Yorkshire Railway Company may have and exercise over the railway and works herein-before described as "Deviation of Pudsey Railway" the same powers and privileges as are conferred on that company by section 9 of the Great Northern Railway (Various Powers) Act 1885 with respect to the railways and works therein described as "Extension of Pudsey Railway, Railway No. 5" and "Railway No. 6" but subject to the terms restrictions and conditions contained in sections 29, 30, 31, 32, and 33 of the Great Northern Railway Act 1883.

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—  
Powers to  
Lancashire  
and York-  
shire Railway  
Company.

12. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described and may exercise the powers herein-after mentioned and may for the purposes aforesaid make such alterations in the levels of the streets roads and footpaths affected thereby as are shown upon the deposited plans and sections and may stop up such streets roads and footpaths as are shown on the deposited plans of these works as intended to be stopped up and in addition to any other lands which they are by this Act authorised to acquire may enter upon and take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes making compensation in accordance with the Lands Clauses Consolidation Act 1845 to all persons injuriously affected by the exercise of the powers contained in this section :

ROADS AND  
FOOTPATHS.  
Further  
works by the  
Company.

ALTERATIONS AT BATTLE BRIDGE ROAD AND CONGREVE STREET KING'S CROSS.—They may in the parish of Saint Pancras in the county of London—

- (a) Widen and enlarge the existing archway or opening at the western end of the bridge carrying Battle Bridge Road over the railway of the Company ; and
- (b) In connexion with the said work they may alter the levels of so much of Battle Bridge Road as lies between a point opposite the most easterly of the entrances from Battle Bridge Road to the works of the Gas Light and Coke Company and a point about sixty yards therefrom measured along the said road in an easterly direction :
- (c) They may widen and enlarge the existing archway or opening at the western end of the bridge carrying Congreve Street over the railway of the Company.

DIVERSION OF ROAD AT NEW BARNET.—They may in the parish of East Barnet in the county of Hertford construct a diversion of the road known as York Road leading from the Station Road to Long Street such diversion commencing in the said York Road



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at a point about fifty yards south of its junction with Station Road and terminating in Station Road at a point about twenty yards south-east of the Railway Hotel and when the said diversion is completed and open to the public the Company may stop up and discontinue as a public highway and extinguish all rights of way in and over so much of the said York Road as lies between the commencement of the proposed diversion and the Station Road.

EXTENSION OF BRIDGE AT RADCLIFFE-ON-TRENT.—They may in the parish of Radcliffe-on-Trent in the county of Nottingham—

(a) Construct an additional opening at each end of the bridge at the western end of Radcliffe Station carrying the public road leading from Radcliffe to Newton over the Nottingham and Grantham line of the Company:

(b) In connexion with the said work they may alter the levels of so much of the said public road as lies between a point about one hundred and seventy-five yards measured along the said road in a south-westerly direction from the centre of the said bridge and a point about thirty-nine yards measured along the road in a north-easterly direction from the said centre.

For protec-  
tion of sewers  
in the  
metropolis.

13. 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 London County Council or of any vestry or district board of works constituted under the Metropolis Management Act 1855 or any Act or Acts amending the same or extending the powers thereof or with any sewers or works to be made or executed by the said London County Council or district boards or vestries or any of them or shall or may in any way affect the sewerage or drainage of the districts under their or either of their control the Company shall not commence such works until they shall have given to the said London County Council or to the district board or vestry as the case may be twenty-eight days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of the said London County Council or such board or vestry as the case may be with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until the said London County Council or such board or vestry respectively shall have signified their approval of the same unless the said London County Council or such board or vestry as the case may be do not signify their approval disapproval or other directions within twenty-eight days after service of the said plan section and particulars as aforesaid and the Company shall comply with and conform to all orders direc-



tions and regulations of the said London County Council and of the respective district 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 the said London County Council or such boards or vestries 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 reason of the said intended works or any part thereof and shall save harmless the said London County Council boards and vestries respectively against all and every the expense to be occasioned thereby and all such works shall be done by or under the direction superintendence and control of the engineer or other officer or officers of the said London County Council 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 London County Council or any district board or vestry 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 the said London County Council or 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 London County Council district board or vestry as the case may be respectively 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 London County Council or the said respective boards or 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.

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**14.** All bridges to be constructed by the Company for carrying any road or street within the metropolis over the railway shall be constructed so as not to lessen the present clear width of such road or street including the footway or footways and in no case shall any such bridge be of less width between the parapets thereof than forty feet measured on the square and every such bridge shall be fenced on either side with a close screen or fence not less than six feet in height.

Bridges  
under roads  
in the  
metropolis.

**15.** The Company shall not execute or commence the erection of any such bridge or works as aforesaid until they shall have given to the London County Council twenty-one days notice in writing of

Plans &c. of  
bridges to be  
submitted to  
the London



A.D. 1890. **County Council.** their intention to commence the same by leaving such notice at the office of the said council with plans elevations sections and other necessary particulars of the construction of the said bridge and works and until the said council shall have signified their approval of the same unless the said council fail to signify such approval or their disapproval or other directions within twenty-one days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the said council in the execution and subsequent maintenance of every such bridge and the works connected therewith and shall save harmless the said council against all and every expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the engineer or other officer of the said council at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the said council may be put to by reason of the works of the Company whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the said council by the Company on demand.

**Exhibition of placards.** 16. The Company shall not affix or exhibit or permit to be affixed or exhibited on the street side of the parapet of any bridge by this Act authorised to be constructed over any public street in the metropolis any placards or advertisements except such as relate to the business of the Company.

**Prohibiting taking of certain lands in parish of Saint Mary Islington.** 17. Notwithstanding anything shown on the deposited plans or described in the deposited book of reference the Company shall not under the powers of this Act enter upon or take any of the lands respectively numbered on the deposited plans and in the deposited book of reference 18, 19, 20, 21, 22 and 23 in the parish of Saint Mary Islington.

**For the protection of the vestry of Saint Pancras.** 18. For the protection of the vestry of the parish of Saint Pancras the following provisions shall have effect unless otherwise agreed on between the vestry and the Company (that is to say) :—

(1) In this section—

“ The parish ” and “ the vestry ” respectively mean the parish and the vestry of the parish of Saint Pancras ;

“ The chief surveyor ” means the chief surveyor of the vestry and includes any other officer authorised by the vestry to act for him ;



“Street” includes any road roadway carriage-way and foot-      A.D. 1890.  
way in the parish under the control of the vestry ;

“Sewer” includes any drain and gully in the parish under  
the control of the vestry ;

- (2) Before the Company break up any part of any street or open any sewer or commence the construction of any part of the works by this Act authorised which will interfere with any sewer they shall give to the vestry or to the surveyor notice in writing of their intention to break up or open such street or sewer or to commence the construction of such part of the said railways or works and such notice shall be given not less than fourteen days before commencing the works and shall be given by delivering the same personally to the surveyor or by leaving the same at his offices and shall specify the part of the street or the position of the sewer intended to be broken up or opened or the situation of such portions of the works about to be commenced by the Company as the case may be ;
- (3) Before commencing to break up or open any such street or any such sewer the Company shall submit drawings of the proposed works rendering necessary or expedient any such breaking up or opening to the surveyor who shall within fourteen days of their being left with him approve such drawings in writing or state his objections thereto ;
- (4) If the surveyor shall neglect within the period aforesaid to signify his approval of such drawings or to state his objections thereto the Company shall be at liberty to carry out the works in accordance with the same ;
- (5) If the surveyor shall make any objections to such drawings and any difference of opinion shall thereupon arise between the Company and the surveyor the matter in difference shall be settled in manner herein-after provided ;
- (6) No such street or sewer shall be broken up or opened except under the superintendence of the surveyor Provided always that if the surveyor fail to attend at the time fixed for the breaking up of any such street or opening of any such sewer after having had such notice of the intention of the Company as aforesaid or shall refuse or neglect to superintend the operation the Company may perform the works specified in such notice without the superintendence of the surveyor ;
- (7) No works which will interfere with any sewer shall be commenced by the Company in front of across or abutting upon any street until sewers have been made in and under every such street and before the Company shall open or otherwise interfere

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with any such existing sewer such sewer shall be diverted in such manner and such other works shall be constructed as shall be reasonably necessary for preventing any danger or inconvenience arising from the works of the Company and after the said sewers are completed or altered they shall be as fully under the direction jurisdiction and control of the vestry as any other sewers or works in the parish now are or hereafter may be. Provided that all such sewers shall be made or diverted and such works shall be constructed in such manner as shall be mutually agreed upon between the surveyor and the Company or failing agreement as shall be settled as herein-after provided and shall be made under the supervision of the vestry by and at the expense of the Company ;

(8) When and so often as the Company shall under the powers herein contained break up or disturb or cause to be broken up or disturbed any part of the soil or surface of any street for any of the purposes of this Act the Company shall within twelve months after any such street shall have been respectively broken up as aforesaid complete and finish the works of the Company for the purpose of executing which the same shall have been broken up and as soon as the works shall have been constructed it shall be lawful for the vestry to make good and repair any such street and the expense thereof occasioned thereby shall be paid by the Company to the vestry within one month after the same shall be demanded by them or the surveyor and it shall be lawful for the vestry or the surveyor at all times during the construction or repair of the said works or part or parts thereof over through upon along or under any such street to have access to such works and to cause any part of such street to be enclosed watched and lighted as and when and in such manner as to them or him may seem necessary and every expense occasioned thereby or incidental thereto including the costs of any such superintendence shall be paid by the Company on demand to the vestry and the Company shall also defray the expense incurred by the vestry in maintaining and keeping in repair such street for twelve months next after the same shall have been paved as aforesaid ;

(9) Before the Company shall commence any works which shall require the stopping up temporarily or the diversion of any thoroughfare within the parish or shall cause any obstruction to the passing of passengers or other traffic along any such thoroughfare every such stopping up diversion or obstruction shall be subject to the approval of the surveyor and the Com-



pany shall before commencing such works at their own expense make all such temporary bridges for the passage of such traffic as the surveyor shall in writing reasonably require and it shall be lawful for the vestry to employ a sufficient number of officers or servants to regulate the course of all such traffic as may be diverted by reason of any of the works of the Company within the parish and all reasonable costs and charges occasioned by and incident to the employment of such officers or servants shall be paid on demand by the Company to the vestry ;

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- (10) And whereas during the construction of the works of the Company in the parish the vestry may be put to additional expense in the repair of the streets in the neighbourhood of the said works Therefore the additional expense which the vestry may incur in consequence of the construction of such works shall be ascertained and an account thereof shall be rendered to the Company on the first day of January in every year and unless the Company and the vestry agree to the said account the question in dispute shall be settled as herein-after provided ;
- (11) All the carriage-way footway and other paving gully gratings street posts lamp-columns and other materials and appliances in or upon any of the streets courts alleys or passages in the parish of Saint Pancras which the Company may stop up under the powers of this Act shall remain the property of and belong to and be handed over without charge to the vestry at their nearest convenient depôt ;
- (12) If any difference arise between the Company and the vestry in relation to this section such difference shall be from time to time determined by arbitration in the manner (unless otherwise agreed on) provided by the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration.

**19.** Subject to the provisions of this Act the Great Northern and Great Eastern Joint Committee may make and maintain in the lines and according to the levels shown on the deposited plans and sections relating thereto the work herein-after described with all proper works and conveniences connected therewith and may exercise the powers herein-after mentioned and may enter upon and take and use such of the lands delineated on the deposited plans and described in the deposited books of reference relating thereto as may be required for those purposes :

Works by  
Great North  
ern and  
Great East-  
ern Joint  
Committee.

DIVERSION OF FOOTPATH AND ABOLITION OF LEVEL CROSSING AT  
LINCOLN :—

- (a) They may abolish in the parishes of Saint Mary-le-Wigford Saint Peter-at-Gowts and South Common all in the city of

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Lincoln and county of the same city the level crossing of their railway by the footpath leading from Lorne Street Lincoln across the public common known as the Cowpaddle to the Lincoln and Washingborough Road and may substitute for the existing level crossing a footbridge and may divert the course and may vary the levels of so much of the said public footpath as lies between the junction of Lorne Street aforesaid and George Street and a point about fifty yards therefrom measured in a south-easterly direction along the said footpath :

- (b) When the said footbridge is completed and opened for public use all rights of way over the said level crossing and over so much of the said footpath as is proposed to be diverted shall be and are hereby abolished and the site and soil of the said level crossing shall be and are hereby vested in the said Joint Committee.

Power to deviate in construction of roads.

**20.** The Company or the Great Northern and Great Eastern Joint Committee as the case may require in constructing the alteration of roads and footpaths herein-before authorised may deviate from the centre lines shown on the deposited plans to the extent of the limits of deviation marked on such plans respectively but so nevertheless that no part of such deviation be constructed beyond the said limits and may deviate from the levels shown on the deposited sections to any extent not exceeding five feet but not so as to increase the gradient of any road or footpath.

Substituted roads to be repaired &c. as existing roads.

**21.—(1)** Subject to the provisions of section 46 of the Railways Clauses Consolidation Act 1845 every altered and substituted road or footpath constructed by the Company or the Great Northern and Great Eastern Joint Committee under the powers of this Act shall vest in and be repaired and maintained in the same manner and to the same extent as and by and at the expense of the same bodies or persons as are now liable to repair and maintain the roads or footpaths for which they are substituted Provided that the structure of every bridge shall be repaired and maintained by the Company or the Great Northern and Great Eastern Joint Committee as the case may require ;

(2) The Company or the Great Northern and Great Eastern Joint Committee as the case may require and any such body or person may (subject to the provisions of this Act) enter into and fulfil agreements for or in relation to such construction and for or in relation to the repair and maintenance of all or any of such altered substituted or existing roads or footpaths ;

(3) Any such agreements shall be deemed to be purposes of the public Acts under which such body or persons have jurisdiction and



any expenses incurred in relation to such agreements shall be deemed to be expenses incurred for the purposes of those Acts ; A.D. 1890.

(4) The certificate of two justices of the due completion of any such altered or substituted road or footpath shall be conclusive evidence of the fact so certified and such certificate shall be obtained before the existing road or footpath is interfered with except in so far as may be necessary for the construction and completion of such new altered or substituted road or footpath.

**22.** Subject to the provisions of this Act the Company in addition to the other lands which they are by this Act authorised to acquire may enter upon and take compulsorily or by agreement for the improvement and enlargement of their railways stations and works and for the construction of new stations buildings and sidings and other the purposes of their undertaking the lands herein-after described which are delineated upon the deposited plans and described in the deposited books of reference and they may retain and hold such of the said lands as have already been purchased by them :

Power to  
Company to  
purchase  
additional  
lands.

In the county of London :—

**HOLLOWAY.**—Certain lands in the parish of Saint Mary Islington bounded on the south-east by the property of the Company on the north-west partly by Stock Orchard Crescent and partly by the premises numbered 311 in Holloway Road on the south-west by the Caledonian Road and on the north-east partly by the Holloway Road and partly by the premises numbered 18 in Stock Orchard Crescent and the Company may stop up so much of Stock Orchard Street as lies between the north-eastern termination of the said street and a point sixty-four yards therefrom measured along the said street and may extinguish all rights of way in and over the same.

In the county of Middlesex :—

**POTTER'S BAR.**—Certain lands in the parish of South Mimms adjoining the Potter's Bar Station of the Company on both sides thereof ;

Certain other lands in the said parish of South Mimms adjoining the eastern side of the main line of the Company.

In the county of Hertford :—

**NEW BARNET.**—Certain lands in the parish of East Barnet adjoining the main line of the Company on the western side thereof and bounded on the north and east by property of or reputed to belong to the Company on the west by York Road and on the south by the public road leading from East Barnet to Chipping Barnet and known as Long Street ;

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Certain other lands in the said parish of East Barnet bounded on the north by the said public road known as Long Street and on the east and south by property of or reputed to belong to the Company.

HATFIELD.—Certain lands in the parish of Hatfield lying on the western side of the main line of the Company and bounded on the south and east by property of or reputed to belong to the Company.

STEVENAGE.—Certain lands in the parish of Stevenage in the county of Hertford adjoining the main line of the Company on the western side thereof and bounded on the north-east and north-west by property of or reputed to belong to the Company ;

Certain other lands in the said parish of Stevenage bounded on the south-east by property of or reputed to belong to the Company and on the north-east by the road leading from Fisher's Green Lane to the loading wharf of the Company on the down side of Stevenage Station ;

Certain other lands in the said parish of Stevenage adjoining the said main line on the eastern side thereof and bounded on the south by Fisher's Green Lane.

In the county of Northampton :—

WERRINGTON JUNCTION.—Certain lands in the hamlet of Werrington in the parish of Paston lying on the north-eastern side of the main line of the Company and bounded on the south-west by property of or reputed to belong to the Company on the south-east by the road leading from Marholme to the Bourn and Peterborough Road and on the north-west by the boundary between the parishes of Paston and Marholme.

In the county of Nottingham :—

RADCLIFFE-ON-TRENT.—Certain lands in the parish of Radcliffe-on-Trent adjoining the Nottingham and Grantham line of the Company on both sides thereof.

In the west riding of the county of York :—

BATLEY.—Certain lands in the township of Soothill in the parish of Dewsbury lying on the eastern side of the Batley and Dewsbury line of the Company bounded on the east by the Batley Corporation Gasworks and on the west by the said Batley and Dewsbury line.

LOTHOUSE.—Certain lands in the township of Stanley-cum-Wrenthorpe in the parish of Wakefield bounded on the west and north-west by the West Yorkshire Railway of the



Company and by the railway of the East and West Yorkshire Union Railways Company in course of construction on the east and north-east by the road leading from Lingwell Gate to Lofthouse Gate and on the south by the works of the Lofthouse Colliery Company and the Company may abolish the level crossing of their West Yorkshire line by the occupation road leading from the said lands to the public road leading from Thorpe-on-the-Hill to Wakefield and may extinguish all rights of way in and over the said level crossing ;

Certain other lands in the said township of Stanley-cum-Wrenthorpe bounded on the west by the said West Yorkshire Railway on the south-east by the said railway in course of construction and on the north-east by the said road leading from Lingwell Gate to Lofthouse Gate and the Company may abolish the level crossing of the said West Yorkshire Railway by the occupation road leading from the said lands to Springfield Farm and may extinguish all rights of way in and over the said level crossing.

ARDSLEY.—Certain lands in the township and parish of East Ardsley adjoining the said West Yorkshire Railway on both sides thereof.

MORLEY.—Certain lands in the township of Morley in the parish of Batley adjoining the Morley Station of the Company on both sides thereof.

BRAMLEY.—Certain lands in the township of Bramley in the parish of Leeds adjoining the Leeds Bradford and Halifax Railway of the Company on the northern side thereof ;

Certain other lands in the said township of Bramley lying on the northern side of the said Leeds Bradford and Halifax Railway near the northern end of the bridge carrying Haley Lane over the said railway and bounded on the south and west by the said Haley Lane ;

Certain other lands in the said township of Bramley being a strip of land adjoining the northern side of the said Leeds Bradford and Halifax Railway and extending eastwards from Haley Lane to the road known as Gamble Hill.

**23.** The powers of the Company for the compulsory purchase of lands for the purposes of the widenings of—

Extension of time for purchase of certain lands.

- (1) Their main line at Holloway ;
- (2) Their railway at Nottingham ;
- (3) Their railway between Lofthouse Junction and Lingwell Gate Lane ; and for

A.D. 1890.

(4) The diversion of the road and abolition of level crossing at East Markham ;

respectively authorised by the Great Northern Railway Act 1887 are hereby extended until the fifth day of July one thousand eight hundred and ninety-two but the said powers respectively shall cease after that date and section 35 of that Act shall be read and construed accordingly.

Extension of time for purchase of additional lands by Company and by Midland Railway Company.

**24.** The powers granted to the Company and to the Midland Railway Company by the 42nd section of the Great Northern Railway Act 1887 for the compulsory purchase of certain lands in the parish of Holbeach in the parts of Holland in Lincolnshire are hereby extended until the fifth day of July one thousand eight hundred and ninety-two but shall cease after that date and section 35 of the said Act shall be read and construed accordingly.

Power to West Riding Railway Committee to hold additional lands.

**25.** Subject to the provisions of this Act the West Riding Railway Committee may hold retain and use for purposes connected with their joint undertaking the lands herein-after described which are delineated upon the deposited plans and described in the deposited books of reference (that is to say) :—

Certain lands in the township of Nostell in the parish of Wragby in the west riding of Yorkshire adjoining the Nostell Station of the said committee and bounded on the south-east by the approach road to the up side of the said station.

As to vesting of site and soil of portions of roads &c. stopped up.

**26.** The site and soil of the several roads streets and footpaths or portions thereof 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 and subject to the acquisition of any existing private rights of way thereover by the Company or by the Great Northern and Great Eastern Joint Committee as the case may require) if the Company or the Great Northern and Great Eastern Joint Committee as the case may require are or if and when under the powers of this Act or of any other Act already passed relating to the Company or the Great Northern and Great Eastern Joint Committee as the case may require they become the owners of the lands on both sides thereof be from the time of the stopping up thereof respectively absolutely vested in the Company or the Great Northern and Great Eastern Joint Committee as the case may require subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway.

Owners may be required to sell parts only of

**27.** And whereas in the construction of the railways and works hereby authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the lands houses or other



buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto. Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act, 1845 the owners of and other persons interested in the lands houses or other buildings or manufactories described or referred to in the First Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise. If for twenty-one days after the service of notice to sell and convey any portion or portions of the said property any owner or other person shall fail to notify to the Company that he alleges such portion or portions cannot be severed from the remainder of the property without causing the material detriment mentioned then the Company may proceed to take such portion or portions only but if within such twenty-one days he shall by notice to the Company allege that such portion or portions cannot be severed from the remainder without causing such material detriment as aforesaid then the tribunal to whom the question of disputed compensation shall be submitted shall determine the matter of the said allegation in addition to the other questions required to be determined by them. Provided always that if in the opinion of such tribunal any such portions cannot be severed from the remainder of such property without material detriment thereto the Company may withdraw their notice to treat for the portion of the property required by them and thereupon they shall pay to the owners of and other persons interested in the property in respect of which they have given notice to treat all costs charges and expenses reasonably and properly incurred by them in consequence of such notice. Provided also that if in the opinion of such tribunal any such portions can notwithstanding the allegation of such owner or other person be severed from the remainder without such material detriment then such tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by such owner or person incident to the arbitration or inquiry shall be borne and paid by such owner or person. The provisions of

A.D. 1890.  
—  
certain lands  
and build-  
ings.



A.D. 1890.      —      this section shall be stated in every notice given thereunder by the Company to sell and convey any premises.

Power to  
take ease-  
ments &c. by  
agreement.

**28.** 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 or to the Great Northern and Great Eastern Joint Committee any easement right or privilege (not being an easement of water) required for the purposes of this Act or any of the purposes of their undertaking in over or affecting any such 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 and to such easements rights or privileges as aforesaid.

Period for  
compulsory  
purchase of  
lands.

**29.** The powers for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Extending  
time for sale  
of certain  
superfluous  
lands.

**30.** The Company with respect to lands acquired by them alone and the Company and any other company with whom the Company jointly hold any lands under the powers of any Act relating to the undertaking of the Company or of such other company with respect to such last-mentioned lands may notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the Company or to such other company with which that Act is incorporated retain and hold any lands acquired by them respectively and which have not yet been applied to the purposes for which they were acquired or sold or disposed of for the periods following (that is to say) As regards such of the lands as are situate near to or adjoining any railway or station of the Company or of such other company as the case may be or as they respectively may be of opinion that they may require for the purposes of stations sidings or other conveniences for the period of ten years from the passing of this Act and as regards the other of the said lands for the period of two years from the passing of this Act:

But the Company or such other company as the case may be shall at the expiration of such respective periods of ten years and two years proceed bonâ fide to the sale and disposal of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes aforesaid:

The provisions of this section shall not apply to any lands in the parish of Gainsborough purchased from Henry Bacon Hickman a predecessor in title of Sir Hickman Beckett Bacon Baronet by the



Company under the powers of the Great Northern Railway Act 1846      A.D. 1890.  
for the purposes of the railway by that Act authorised.

**31.** The Company shall not under the powers of this Act purchase or acquire in any parish in the metropolis as defined by the Metropolis Management Act 1855 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. Restriction on taking houses of labouring class in any parish in metropolis.

**32.** Any houses occupied by persons of the labouring class situate in the administrative county of London which may have been acquired by or on behalf of the Company for the purposes of but otherwise than under the powers of this Act shall for the purpose of the preceding section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the Secretary of State for the Home Department is unable to satisfy himself as to the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the said Secretary of State they might have been sufficient to accommodate. As to houses already acquired by the Company in the county of London.

**33.** (1) The Company shall not nor shall the Great Northern and Great Eastern Joint Committee nor the Sutton Bridge Dock Company under the powers of this Act or under the powers of any former Act revived or extended by this Act purchase or acquire in any city borough or urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December next before the passing of this Act or of the respective former Act by which such purchase or acquisition was originally authorised as the case may be were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until— Restrictions on displacing persons of labouring class.

(a) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the respective fifteenth day of December aforesaid or for such number of persons as the Local Government Board 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 accom-

A.D. 1890.

modation 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

(b) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they 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 Local Government Board may dispense with the last-mentioned requirement subject to such conditions if any as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme under this section or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the company or committee or the Sutton Bridge Dock 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 Local Government Board by action in the High Court 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 such scheme shall for all purposes be deemed to be an undertaking of such company or committee and such company or committee 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 and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands beyond the



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metropolis by such company or committee for the purposes of any scheme under this section in the same manner in all respects as if such company or committee were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) Such company or committee may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of 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 and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by such company or committee 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 Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions if any as they may see fit.

(8) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by such company or committee for the purpose of any scheme under this section.

(9) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(10) Such company or committee (as the case may require) shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses



A.D. 1890. — of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(11) The provisions of the foregoing subsections 6 and 7 shall not apply to any lands in the parish of Gainsborough purchased from Henry Bacon Hickman a predecessor in title of Sir Hickman Beckett Bacon Baronet by the Company under the powers of the Great Northern Railway Act 1846 for the purposes of the railway by that Act authorised.

Repeal of section 17 of Great Northern Railway Act 1846.

**34.** Section 17 of the Great Northern Railway Act 1846 is hereby repealed.

Power to Company to guarantee dividends &c. on Newark and Ollerton Railway Company's capital.

**35.** The Company may with the approval of proprietors present at a general meeting of the Company specially convened for the purpose holding at least three fourths in value of the paid-up share capital of the Company represented at such meeting from time to time guarantee the payment of a minimum dividend on the capital or any part of the share capital of the Newark and Ollerton Railway Company.

Revival and extension of time for completion of Sutton Bridge Dock works.

**36.** The powers granted to the Sutton Bridge Dock Company by the Sutton Bridge Dock Act 1876 and the Sutton Bridge Dock Act 1884 for the construction and completion of the works therein referred to are hereby revived and extended and may be exercised until the thirty-first day of December one thousand eight hundred and ninety-three but shall not be exercised after that period.

As to transfer of Spilsby and Firsby Railway.

**37.** The terms of agreement between the Company and the Spilsby Company for the vesting in the Company of the undertaking of the Spilsby Company set forth in the Second Schedule to this Act are hereby confirmed and made binding on the Company and the Spilsby Company as if the same were contained in an agreement duly entered into by those parties and confirmed by Act of Parliament and the agreement dated the eighteenth day of October one thousand eight hundred and eighty-nine and made between the same parties is hereby declared to be null and void so far as the same differs from the terms of agreement hereby confirmed :

As from the date of completion of the purchase of the said undertaking under the provisions of the said agreement (which date is herein-after referred to as "the vesting period") the undertaking of the Spilsby Company as defined in the said terms of agreement shall be transferred to and vested in the Company :

The Spilsby Company shall as from the vesting period be dissolved except for the purpose of winding up their affairs and applying and appropriating the sum of twenty thousand pounds



specified in Article 2 of the said terms of agreement and other their assets as provided by this Act and of otherwise carrying into effect the provisions of this Act: A.D. 1890.

Provided always that at the vesting period all the unexercised powers of the Spilsby Company of raising capital by the creation and issue of shares and of raising money by mortgages and debenture stock shall be and the same are hereby extinguished:

The vesting shall be deemed to be an amalgamation of the undertaking of the Spilsby Company according to the true intent and meaning of Part V. (amalgamation) of the Railways Clauses Act 1863 and the provisions of the said Part V. shall extend and apply thereto accordingly so far as the same are not inconsistent with or varied by the provisions in this Act and in the said agreement contained.

**38.** The transfer of the undertaking of the Spilsby Company to the Company shall be evidenced by a deed of conveyance in which the purchase money shall be fully and truly set forth and the Company shall produce such deed duly stamped with the proper ad valorem stamp duty to the Commissioners of Inland Revenue within three months from the date of vesting and if the Company shall not within the said period of three months produce to the said Commissioners such deed of conveyance duly stamped as aforesaid the ad valorem stamp duty with interest thereon at the rate of five pounds per centum per annum from the date of vesting shall be recoverable from the Company with full costs of suit and all costs and charges attending the same. Transfer to be by deed.

**39.** The Company may take from the mayor commonalty and citizens of the city of London a lease for nine hundred and ninety-nine years of the underground surface below the street level of the several pieces of land shown on a plan signed by Robert William Duff Esquire the chairman of the committee of the House of Commons to whom the Bill for this Act was referred and on that plan coloured blue including the underground surface below the street level of the said southern roadway and of the soil under such parts of the said street called Charterhouse Street as are coloured brown on the said plan together with means of access thereto by the inclined roadway from Snow Hill and Farringdon Street. Power to Company to take lease of lands in city of London.

**40.** The Company may from time to time or at any time lend to the Boston Corporation upon the security of the harbour revenue (as defined by the Boston Dock Act 1881) and the borough fund and borough rate of the borough upon such terms and conditions as may be agreed upon between the Company and the Boston Corporation Loan to Corporation of Boston.

A.D. 1890.      and that corporation may accordingly borrow at interest upon any of the said securities any sum or sums not exceeding in the whole twenty-four thousand five hundred pounds in addition to the said sum of twelve thousand five hundred pounds already lent to the Boston Corporation and such borrowing shall be deemed to be a part of the sum of one hundred and eighty thousand pounds authorised to be borrowed by the Boston Corporation under the provisions of the Boston Dock Act 1881 and shall be applied by them in erecting additional warehouses and otherwise improving the accommodation of the said docks.

Boston Corporation may sell or let warehouses &c. to the Company.

41. The Boston Corporation may sell to the Company or from time to time demise to them for any term of years and the Company may purchase or take on lease any warehouses or granaries or other like works now in course of erection by the Boston Corporation for the purposes of their said docks and such sale or lease may be in consideration wholly or partly of a gross sum or yearly rent or rent-charge and generally upon such terms and conditions as may be agreed on between the Boston Corporation and the Company :

Provided that the proceeds of any such sale and all fines and premiums received in respect of any such lease shall be applied only towards the extinguishment of any loan borrowed by the Boston Corporation under the powers or for the purposes of the Boston Dock Act 1881 and shall be in addition to and not in substitution for any other mode of payment by that Act provided.

Company may apply their funds towards purposes of Act and may raise additional capital.

42. The Company may apply to the purposes of this Act to which capital is properly applicable any of the moneys which they are already or which by virtue of any Act to be passed during the present session of Parliament they may be authorised to raise and which may not be required by them for the purposes for which the same were authorised to be raised and the Company may for the purposes of this Act and for the general purposes of their undertaking from time to time subject to the provisions of Part II. of the Companies Clauses Act 1863 raise in addition to the sums of money which they are already authorised to raise any additional sum or sums not exceeding in the whole one million pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those methods respectively which shares or stocks shall form part of the general capital of the Company.

Shares or stock not to vest until fifth part paid up.

43. The Company shall not issue any share or stock created under the authority of this Act nor shall any such share or stock vest in the person accepting the same unless and until a sum not



being less than one fifth of the amount of such share or stock shall have been paid in respect thereof. A.D. 1890.

44. The Company may from time to time if they think fit attach to all or any new shares or any class of new shares created under the powers of this Act any total or partial permanent or temporary restriction of the rights of voting and other qualification of the holders thereof. Votes in respect of new shares.

45. All shares of the same class created by the Company under this Act shall confer like privileges and shall bear like dividends or interest and be subject to like restrictions (if any). Shares of same class to have like privileges.

46. If by any other Act passed in the present session of Parliament whether before or after the passing of this Act the Company be authorised to raise any capital by new shares then subject to the provisions of the other Act and this Act respectively the Company if they think fit may 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 authorised to raise by the creation and issue of new shares. Power to Company to raise capital under any other Act and this Act by new shares of one class.

47. The Company may from time to time borrow on mortgage of their undertaking additional sums not exceeding in the whole three hundred and thirty-three thousand pounds in respect of the additional capital of one million pounds by this Act authorised to be raised. Provided that in respect of every one hundred thousand pounds of such additional capital issued and accepted and one half whereof shall have been paid up the Company may borrow a sum or sums not exceeding in the whole thirty-three thousand pounds. But no part of any of the before-mentioned sums of thirty-three thousand pounds shall be borrowed until shares for so much of the said portion of the additional capital in respect of which the borrowing powers are to be exercised as is to be raised by means of shares are issued and accepted and one half of such capital is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such portion of additional capital have been issued and accepted and that one half of such portion has been paid up and that not less than one fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of such portion of the said additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as

Power to borrow on mortgage.

A.D. 1890.      aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and paid up bona fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also so far as 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.

Existing mortgages to have priority.

**48.** All mortgages granted by the Company in pursuance of any Act of Parliament and which shall be subsisting at the time of the passing of this Act shall during the continuance of such mortgages and subject to the provisions of the Acts under which such mortgages were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Debenture stock.

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

Application of moneys.

**50.** All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied only to the purposes of this Act and to the general purposes of the Company being in every case purposes to which capital is properly applicable.

Receipt in case of persons not sui juris.

**51.** If any money is payable to a holder of shares or stock in or of a mortgage or debenture stock of 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 Great Eastern Railway Company and to Joint Committee to apply corporate funds to purposes of Act.

**52.** The Great Eastern Railway Company and the Great Northern and Great Eastern Joint Committee with respect to the powers conferred by this Act upon that Joint Committee may apply to the purposes of this Act being purposes to which capital is properly applicable any of the moneys which they now have in their respective hands or which they respectively have power to raise by shares stock debenture stock or mortgage by virtue of any Acts relating



to them and which may not be required for the purposes to which they are by any such Acts made specially applicable. A.D. 1890.

**53.** No interest or dividend shall be paid out of any share or loan capital which the 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 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. Interest not to be paid on calls paid up.

**54.** The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway or to execute any other work or undertaking. Deposits for future Bills not to be paid out of capital.

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

**56.** 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. Costs of Act.

A.D. 1890.

SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Describing LANDS BUILDINGS and MANUFACTORIES of which portions only  
may be required by the COMPANY.

Parish.	Numbers on Plans deposited with respect to this Act.
Calverley - - - -	6.
Radcliffe-on-Trent - - -	3.
St. Mary, Islington . - -	41a, 42, 43, 44, 45.
Stevenage - - - -	7.
Dewsbury - - - -	4.

THE SECOND SCHEDULE.

TERMS OF AGREEMENT BETWEEN THE COMPANY AND THE SPILSBY RAILWAY  
COMPANY.

1. The Great Northern Company shall purchase and the Spilsby Company shall sell and transfer the undertaking of the last-named company (including in the term "undertaking" all railways lands stations approaches sidings warehouses works and conveniences connected or held therewith and all the rights powers and privileges of the Spilsby Company with respect to their own or other undertakings) subject to all rentcharges (if any) created as the purchase money or compensation for land or hereditaments taken or injuriously affected by the Spilsby Company for the purposes of their railway or works but discharged as between the two companies from all other unpaid purchase money for land and from all debentures debenture stock mortgages debts bonds contracts engagements and other pecuniary liabilities of the Spilsby Company.

2. The considerations for the said sale shall be—

First. The sum of twenty thousand pounds (subject nevertheless to the deduction (if any) herein-after mentioned) to be paid in full satisfaction and



discharge of the whole of the fully paid up share capital of twenty-five thousand pounds of the Spilsby Company such purchase money to be paid to the trustees herein-after named : A.D. 1890.

And secondly. The adoption and taking over by the Great Northern Company of the whole of the debentures debenture stock or mortgages of the Spilsby Company and which amount in the aggregate to the sum of eight thousand three hundred and thirty-three pounds and have been raised by the Spilsby Company under the borrowing powers contained in the Spilsby and Firsby Railway Act 1865 and are now current and bear interest at the rate of four pounds per centum per annum but which will be terminable on the sixth day of April one thousand eight hundred and ninety-one on the same terms and conditions as the same securities are now held by the respective holders or owners thereof.

3. On payment by the Great Northern Company of the said purchase money of twenty thousand pounds subject nevertheless to the deduction herein-after mentioned and the adoption and taking over by the Great Northern Company of the said debentures debenture stock or mortgages as aforesaid the undertaking of the Spilsby Company shall vest absolutely in the Great Northern Company and the said agreement of the eleventh day of May one thousand eight hundred and sixty-five and any subsequent agreement or arrangement (if any) between the said companies shall cease to have effect without prejudice nevertheless to the right of the Great Northern Company to recover retain and enforce payment of any moneys due to them under the said agreement of the eleventh day of May one thousand eight hundred and sixty-five and any subsequent agreement or arrangement as aforesaid.

The following provisions shall also apply :—

- A. If it shall appear that the Spilsby Company have created any rent-charges affecting the lands of the Spilsby Company and which may be still existing the Great Northern Company may deduct from the said sum of twenty thousand pounds sums equivalent to the redemption of the said rentcharges (if any) at the rate of twenty-five years purchase thereof If the Spilsby Company cannot produce any conveyance or other muniment showing their title to the lands and premises or any part thereof forming part of the said undertaking they shall furnish to the Great Northern Company such statutory declaration or other evidence as the Great Northern Company may require that they the Spilsby Company have been in uninterrupted and peaceable possession and enjoyment of such lands and premises for twenty years and upwards On the first day of January one thousand eight hundred and ninety-one the Great Northern Company shall pay to the Spilsby Company the ultimate balance of purchase money after making such deduction as aforesaid subject as herein-after mentioned.
- B. On payment of the said sum of twenty thousand pounds subject to the deduction above referred to (if any) and the adoption and taking over by the Great Northern Company of the said debentures debenture stock or mortgages as aforesaid the Spilsby Company shall hand over to the Great Northern Company all deeds muniments of title maps

A.D. 1890.

awards agreements instruments and documents relating to the land of the Spilsby Company and previously thereto the Spilsby Company shall on being required produce the same from time to time for the inspection of the Great Northern Company their solicitors and officers.

c. The two companies may by agreement between themselves vary the date herein-before fixed for the payment of the purchase money and incidental thereto.

4. The purchase money of twenty thousand pounds after making the deduction aforesaid (if any) shall be paid to the Reverend Edward Rawnsley of Raithby Hall in the county of Lincoln clerk in holy orders John Wilby Preston of Dalby Park in the said county of Lincoln and Harwood Mackinder of Langton Grange in the same county gentleman and shall be held by them as trustees and applied by them as follows and in the following order:—

a. In payment of all unpaid purchase money for land taken by the Spilsby Company under the powers of their Act together with any interest that may be due thereon and the costs of the vendors.

b. In payment of all other liabilities of the Spilsby Company except the said debentures debenture stock or mortgages of the Spilsby Company amounting to eight thousand three hundred and thirty-three pounds.

c. The balance available for division amongst the shareholders shall be distributed amongst them rateably.

5. If any of the three persons named in the preceding clause shall die or become in the opinion of the board of directors of the Spilsby Company unfit or incapable to act before the said purchase money of twenty thousand pounds shall have been paid as aforesaid or after the same shall have been paid but before the complete distribution thereof (including in the term "distribution" payment into court under the provision herein-after contained) the board of directors for the time being of the Spilsby Company shall nominate in writing some other person or persons in substitution for the person or persons so dying or becoming unfit or incapable as aforesaid and notice of such nomination shall be given to the Great Northern Company and the person or persons so substituted shall thereupon have all the rights and powers hereby given to the said three persons named in the foregoing clause.

6. The receipts in writing of the Spilsby Company under their common seal authenticated by the signatures of the persons hereby appointed to receive the same (including any person or persons substituted as herein-before provided and all of whom are herein-after called "the trustees") shall be an effectual discharge to the Great Northern Company for all moneys paid to them under these presents and the Great Northern Company shall not be bound to see to the application or be liable for any misapplication thereof.

7. As from the payment as aforesaid of the said sum of twenty thousand pounds by the Great Northern Company they shall not nor shall their undertaking (including therein the undertaking of the Spilsby Company) be or continue in any way subject or liable to any claims or demands whatsoever on the part of any of the creditors or any of the proprietors of shares or stocks of the Spilsby Company or of any other person or persons in respect



of any debts contracts or liabilities (other than rentcharges and debentures debenture stock or mortgages) of the Spilsby Company or of any shares or stock of that company.

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8. Within one calendar month after the passing of the Act herein-after referred to the Spilsby Company shall publish notice of their intention to wind up their affairs and distribute their assets and such notice shall state that all persons having any charge lien or incumbrance other than a rentcharge or any debenture bond or mortgage affecting the Spilsby Railway or undertaking or having any claim against that company shall send in particulars thereof in writing addressed to the secretary of that company at their office at Spilsby in order that the same may be satisfied or discharged And such notice shall be advertised once in the London Gazette and twice in successive weeks in a newspaper published in Lincolnshire.

9. With a view to such distribution of the balance of the purchase money distributable as herein-before provided the trustees shall as soon as may be after the discharge in the manner provided by this agreement of all debts and liabilities particulars of which shall have been sent in to them as herein-before provided give notice that they will on and after a day to be fixed in the notice make such distribution and the said notice shall be advertised once in the London Gazette and a circular letter shall be sent to the proprietors of shares of the Spilsby Company according to their addresses as they appear on the register of shareholders and the said notice and circular letters shall specify the places and times at which such distribution will be made.

10. When the trustees are for three calendar months after the insertion of the said advertisements unable to ascertain the person to whom any part of the said moneys ought to be paid and who can give an effectual receipt for the same the trustees may at any time thereafter pay the same into the Chancery Division of the High Court of Justice under the Trustee Relief Act.

11. When the said purchase money shall have been applied in accordance with this agreement and the Spilsby Company shall have wound up their affairs the Spilsby Company shall be dissolved All minute books books of account vouchers instruments and documents belonging to the Spilsby Company at the time of the said dissolution other than the evidences of title to lands herein-before provided for shall be delivered to and thenceforth be preserved by the Great Northern Company.

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