



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cxxxviii.

An Act to authorize the Extension, by the *Ambergate, Nottingham, and Boston, and Eastern Junction* Railway Company, of their Line of Railway into the Town of *Nottingham*; the Formation of a Station there; and for other Purposes.

[3d July 1854.]

WHEREAS it is expedient that the *Ambergate, Nottingham, and Boston, and Eastern Junction* Railway Company, incorporated by "The *Ambergate, Nottingham, and Boston, and Eastern Junction* Railway Act, 1846," and which Company was by the same Act, and by "The *Ambergate, Nottingham, and Boston, and Eastern Junction* Railway Amendment Act, 1847," empowered to make certain Main and Branch Railways, and other Works, should, for the better Accommodation of their Traffic at, to, and from the Town of *Nottingham*, be authorized to make an Extension of their said Line into the same Town, and also to make a Station, Branch Railway, and other Works at *Nottingham*, 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,

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in

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and Station Act, 1854.*

in this present Parliament assembled, and by the Authority of the same, in manner following; that is to say,

- Short Title. I. That this Act may be cited or referred to for any Purposes as "The *Ambergate Railway Company's Nottingham Extension and Station Act, 1854.*"
- "The Company." II. That the Expression "the Company" in this Act shall mean the *Ambergate, Nottingham, and Boston, and Eastern Junction Railway Company.*
- 8 & 9 Vict. cc. 18. & 20. incorporated. III. That "The Railways Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845," except as by this Act is otherwise provided, shall be and are hereby incorporated with this Act.
- Power to execute Works according to deposited Plans, &c. IV. That it shall be lawful for the Company to make and maintain the Extension and Branch or Junction Lines of Railway, Station, Approaches and other Works herein-after described, in the respective Lines and upon the respective Lands delineated upon the Plans, and described in the Books of Reference to those Plans, which have been deposited with the respective Clerks of the Peace for the County of *Nottingham* and for the Town and County of the Town of *Nottingham*, and according to the Levels defined on the respective Sections deposited with the said Plans and Books of Reference, and it shall be lawful for the Company to enter upon, take, and use such of the Lands as shall be necessary for such Purposes.
- Description of Extension Line, Station and other Works. V. That the Lines of Railway, Station, Approaches, and other Works to be made and executed under the Authority of this Act shall be the following; that is to say,
First, an Extension or Branch Railway from the Main Line of Railway of the Company, commencing by a Junction with such Main Line, in the Parish of *Colwick*, in the County of *Nottingham*, in the same County, and terminating in a Piece of Land called the *East Croft*, in the Parish of *Saint Mary* in the Town and County of the Town of *Nottingham*, near to the *Nottingham Canal*:
Secondly, a Junction Railway from the said intended Extension Railway to the *Midland Railway* in the Parishes of *Sneinton*, otherwise *Snenton*, and *Saint Mary*, or One of them:
Thirdly, a Station in or upon a Portion of the *East Croft* aforesaid in the same Parish of *Saint Mary*, with all requisite Approaches, Conveniences, and Works:
Fourthly, a Bridge, with proper and convenient Approaches thereto, in the same Parish of *Saint Mary*, across the Canal and Towing-path of the *Nottingham Canal Company*, from a certain Road called the *Flood Road*, to a Portion of the *East Croft* aforesaid:
Fifthly,

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Fifthly, the pulling down, altering, rebuilding, and enlarging another Bridge now constructed over the said Canal and Towing-path, and which Bridge leads from the *Flood Road* aforesaid to a Portion of the *East Croft* aforesaid, and is situate in the said Parish of *Saint Mary*; and the widening the Approaches to the same Bridge, and extending such Approaches to a Road or Place called the *Hermitage*, in the said several Parishes of *Sneinton* otherwise *Snenton* in the said County of *Nottingham*, and of *Saint Mary* in the said Town and County of the Town of *Nottingham*, or One of them;

Sixthly, another Road or Approach, commencing at or near to an intended new Street, being an Extension of a Street now called *Manvers Street*, in the said Parish of *Sneinton* otherwise *Snenton*, in the said County of *Nottingham*, and terminating in a Portion of the *East Croft* aforesaid, situate to the North of the Line of the *Midland Railway* there, by a Junction with the said proposed extended Approach to the *Hermitage* aforesaid.

VI. That it shall be lawful for the Company to purchase any Quantity of Land for extraordinary Purposes not exceeding Twenty-five Acres: Provided always, that the total Quantity of Land to be taken by the Company for extraordinary Purposes under the Powers of this Act and the recited Acts shall not exceed Fifty Acres.

Land for
extraordi-
nary Pur-
poses.

VII. That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Powers for
compulsory
Purchase of
Lands
limited.

VIII. That the Works hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Period for
Completion
of Works.

IX. That if, on the Expiration of the Period limited by this Act for the Completion of the Railway herein-before described, and by this Act authorized to be constructed, the same shall not be completed and opened for public Traffic, no Dividend or Interest shall be paid on any Stock or Shares in the Capital of the Company (other than and except Stock and Shares on which Interest or Dividend may have been guaranteed, or to which any Preference or Priority in Payment of Interest or Dividend or other Privileges may have been attached) from the Expiration of that Period until such Railway shall be completed and opened for public Traffic.

After Time
limited, no
Dividend to
be paid on
ordinary
Capital until
Completion
of Works.

X. That the Openings from the said Bridges into and from the said Road called the *Flood Road* (in *Nottingham*), so far as the same shall

For the Pro-
tection of the
Flood Road.

be

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be made on Land belonging to the Trustees of the said Road, shall be made in a Manner satisfactory to the Trustees of the said Road or their Surveyor for the Time being; and for that Purpose the said Bridges shall not be commenced on any Part of the said *Flood Road* until a Plan showing the Mode of connecting the same with the said Road shall first have been submitted to the Trustees of the said Road or their Surveyor for the Time being for Approval: Provided always, that the said Plan shall be returned to the said Company either approved, or with a Statement in Writing of the Objections thereto of the said Surveyor, within Fourteen Days of the Delivery thereof by the said Company to him or to the said Trustees or their Clerk: Provided also, that in case of Difference between the Company and the said Trustees in reference to the said Plan, or the Openings from the said Bridges, the same shall be settled by Arbitration in manner provided by "The Railways Clauses Consolidation Act, 1845."

Flood Road
not to be
taken with-
out Consent
of Trustees.

XI. That nothing in this Act contained shall authorize the Company to take or use the existing *Flood Road* (in *Nottingham*), or any Part thereof, without the Consent in Writing of the said Trustees first had and obtained, except so far as may be necessary for the Purpose of effecting the said Openings from the said Bridges into and from the said Road: Provided always, that nothing herein contained shall prevent the said Company from placing the Abutments of the said Bridges upon that Portion of Land forming Part of the *Old Flood Road*, lying to the East of the Viaduct on which the said Road is now carried.

New Works
to form Part
of the Un-
dertaking.

XII. That the said new Lines of Railway, Station, and other Works shall be and become Part of the Undertaking of the Company.

Tolls.

XIII. That it shall be lawful for the Company to demand and receive, in respect of the Use of the Railways, Station, and Works by this Act authorized to be made, the like Tolls and Charges as they are by the said first-mentioned Act authorized to demand and receive in respect of the Use of the Railway thereby authorized to be made: Provided that such Tolls and Charges shall be calculated and imposed at such Rates as if such Railways and other Works had originally formed Part of the Railway and Works authorized by the same first-mentioned Act.

Clause 68 of
9 & 10 Vict.
c. vi. as to
small Parcels
repealed.

XIV. That the Clause of "The *Ambergate, Nottingham, and Boston, and Eastern Junction* Railway Act, 1846," numbered Sixty-eight, regulating the Tolls for small Packages and single Articles of great Weight, shall be and the same is hereby repealed, but without Prejudice to the Rights of the Company to demand and enforce Payment of any Tolls now due or payable to them under or by virtue of that Clause, or to their Remedies for the Recovery of such Tolls.

XV. And

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XV. And with respect to small Packages, and single Articles of great Weight, be it enacted, That notwithstanding the Rate of Tolls prescribed by "The *Ambergate, Nottingham, and Boston, and Eastern Junction* Railway Act, 1846," the Company may lawfully demand for the Carriage of small Parcels on their Railways any Tolls not exceeding the Sums following ; that is to say,

Tolls for
small Parcels
and single
Articles of
great
Weight.

For any Parcel not exceeding Seven Pounds in Weight, Sixpence :

For any Parcel exceeding Seven Pounds but not exceeding Fourteen Pounds, Ninepence :

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling and Sixpence :

And for any Parcel not exceeding Fifty-six Pounds in Weight, Two Shillings :

And for Parcels exceeding Fifty-six Pounds and not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they think fit :

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages :

For the Carriage of any One Boiler, Cylinder, Box, or Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Six Tons, the Company may demand any Sum not exceeding Sixpence *per Ton per Mile* :

For the Carriage of any One Boiler, Cylinder, or Piece of Machinery, or single Piece of Timber, Stone, or other single Article, the Weight of which, with the Carriage, shall exceed Six Tons, the Company may demand such Sum as they shall think fit.

XVI. That the Clause numbered Sixty-nine in "The *Ambergate, Nottingham, and Boston, and Eastern Junction* Railway Act, 1846," regulating the Weight of Passengers Luggage, shall be and the same is hereby repealed.

Clause 69 of
9 & 10 Vict.
c. vi. re-
pealed.

XVII. That every Passenger travelling upon any Railway by this Act or the recited Acts authorized may take with him his ordinary Luggage, not exceeding for each First-class Passenger One hundred and twelve Pounds in Weight, for each Second-class Passenger One hundred Pounds in Weight, and for each Third-class Passenger Sixty Pounds in Weight, without any Charge being made for the Carriage thereof.

Provision as
to Passen-
gers Lug-
gage.

XVIII. That it shall not be lawful for the Company, nor for any Person in execution of the Powers of this Act, either permanently or temporarily, to enter upon, take, or use any of the Land or Property of the *Midland* Railway Company, save for the Purpose of building a Bridge at the Point where the Line of Railway hereby authorized crosses

Not to take
Land of or
alter Line of
Midland
Railway
Company.

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the *Midland* Railway, and forming a Junction between the Two Lines, as provided by this Act, nor in any Manner to vary or alter the Line of the *Midland* Railway, or any of the Works appertaining thereto, except for the Purposes aforesaid.

Not to deviate at Point of crossing *Midland* Railway.

XIX. That it shall not be lawful for the Company to deviate the Line of Railway hereby authorized at the Point where it is proposed to cross the *Midland* Railway, nor to acquire Land on the South Side of the *Midland* Railway nearer to *Nottingham* than the Crossing by the said Bridge, except for the Purpose of making the Bridge and Approaches hereby authorized across the Canal and Towing-path of the *Nottingham* Canal Company, in the Parish of *Saint Mary Nottingham*.

As to Mode of crossing *Midland* Railway.

XX. That the Line of Railway hereby authorized shall cross the *Midland* Railway at the Point shown in their deposited Plans, and by a Bridge or Viaduct to be constructed with such and so many Openings of such Span as, in case of Difference, shall be considered advisable by an Arbitrator to be appointed by the Board of Trade; the inner Face of the Piers to be, as nearly as may be, parallel to the Line of the *Midland* Railway at the Point of crossing, and so as to obstruct as little as possible the View along the Line of the *Midland* Railway; and the said Bridge or Viaduct shall be constructed in all respects to the reasonable Satisfaction of the Engineer of the *Midland* Railway Company for the Time being; and in case any Dispute shall arise as to such Construction the same shall be referred to Arbitration in manner aforesaid.

As to additional Works, &c. on *Midland* Railway.

XXI. And whereas the Railway hereby authorized is laid out so as not only to cross the Line of the *Midland* Railway in manner aforesaid, but to run for a considerable Distance nearly parallel to and closely adjoining the said last-mentioned Railway; and there are several public Roads which now cross the Line of the said *Midland* Railway on the Level thereof between the said Junction at *Colwick* and *Nottingham*: Be it enacted, That if by reason of the Construction of the Line of Railway and Works hereby authorized, it shall become necessary, in the Opinion of the Railway Department of the Board of Trade, for the *Midland* Railway Company to appoint additional Signal Men or Policemen, or provide additional Signals to those now in use by them, or to alter or increase any of their Works, Gates, or Fences, near the said Bridge, or at any of the said level Crossings, or at any other Places along the said Line of Railway between *Colwick* and *Nottingham*, the Company shall pay to the *Midland* Railway Company the additional annual Expense of such Signal Men or Policemen, or consequent upon such additional Signals, and the Expense of such additional Works, if any; and any Question as to the Necessity of such additional Signal Men or Policemen or Works, or as to the Amount of the Payment for the same, shall be from Time to Time settled by Arbitration under the Provisions of "The Railways Clauses Consolidation Act, 1845," in case the Parties differ about the same.

XXII. That

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XXII. That, as regards the said Branch or Junction Railway, the same shall not cross the present Sidings of the *Midland* Railway Company, but shall be made only in such Direction and Manner as shall be approved of by the Engineer for the Time being of the said *Midland* Railway Company, or in case of Difference between him and the Engineer of the Company, then as shall be approved of by some Arbitrator to be named by the Board of Trade.

As to Communication with the *Midland* Railway.

XXIII. That the Expense of the Communication hereby authorized with the *Midland* Railway, and of all necessary Openings in the Rails thereof, and of all other Works, which may from Time to Time be requisite for repairing and maintaining, regulating and adjusting the same, shall be borne and paid by the Company, and that all such Communications, Openings, and Works shall not only be, in the first instance, made and done, but shall also from Time to Time be repaired and maintained, to the reasonable Satisfaction of the Engineer for the Time being of the said *Midland* Railway Company, on each Occasion, and in such Manner and Form, and by such Ways and Means only, as shall not in anywise prejudice or injure the said *Midland* Railway, or impede, obstruct, or interfere with the free, uninterrupted, and safe Passage along the same.

Expense of such Communication to be borne by the Company.

XXIV. That the Capital of the Company, and the Amount which they are authorized to borrow on Mortgage or Bond, or, in the event of any Bill being passed in this present Session of Parliament authorizing a Reduction of the Capital of the Company and of the Amount they are authorized to borrow, then such reduced Capital and Amount, shall be applicable to all or any of such Purposes of the Company as, after the passing of this Act, they shall for the Time being remain or be competent to execute or carry into effect.

Application of Capital.

XXV. That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained 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 shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Interest or Dividend not to be paid on Calls paid up.

XXVI. That it shall not be lawful for the Company, out of any Money by any of the Acts relating to the Company authorized to be raised for the Purposes of such Acts, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited

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

in

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in respect to any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway, or execute any other Work or Undertaking.

Railways
be subject
to the Pro-
visions of
1 & 2 Vict.
c. 98.
3 & 4 Vict.
c. 97.
5 & 6 Vict.
c. 55.
7 & 8 Vict.
c. 85.
9 & 10 Vict.
c. 57. and
14 & 15 Vict.
c. 64.

XXVII. And whereas an Act was passed in the Second Year of the Reign of Her Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railway*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the Company or their said Railways from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Company, so far as the same shall be applicable thereto.

Railways not
exempt from
Provisions of
future General
Acts.

XXVIII. That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made, or the said Company, from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to the better or more impartial Audit of the Accounts of Railway Companies, now in force, or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Tolls for small Parcels, authorized by this Act or by any of the Acts relating to the said Company.

Expenses of
Act.

XXIX. That the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incidental thereto, shall be discharged by the Company.

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