



CHAPTER xci.

An Act for conferring further powers on the London and North-western Railway Company and other Companies in relation to their Joint Undertakings, and for granting to the London and North-western Railway Company various other powers in relation to their own Undertaking and the Undertakings of other Companies.

A.D. 1877.

[12th July 1877.]

WHEREAS the London and North-western Railway Company (in this Act called the Company) are jointly with the Great Western Railway Company (in this Act called the Great Western Company) the owners of the Birkenhead Railway, and it is expedient that those two companies should be empowered for purposes connected with that railway to acquire and hold the lands in the county of Chester, and to execute the work herein-after described or referred to in that behalf :

(Company and Great Western Company—Birkenhead Railway.)

And whereas the Company are also jointly with the Great Western Company the owners of the West London Railway, and it is expedient that the said two companies should be empowered for purposes connected with that railway to acquire and hold the lands, houses, and buildings in the county of Middlesex in this Act described or referred to in that behalf :

(Company and Great Western Company—West London Railway.)

And whereas the Company are jointly with the Lancashire and Yorkshire Railway Company (in this Act called the Lancashire and Yorkshire Company) the owners of the North Union Railway, and it is expedient that those two companies should be empowered for purposes connected with that railway to acquire and hold the lands, houses, and buildings in the county of Lancaster herein-after described or referred to in that behalf :

(Company and Lancashire and Yorkshire Company—North Union Railway.)

And whereas by the Great Northern and London and North-western Railway Companies, Joint Powers and New Lines Act,

(Great Northern Company and

[Ch. xci.] *London and North-western Railway* [40 & 41 VICT.]
(Joint and Various Powers) Act, 1877.

A.D. 1877. 1874, the Great Northern Railway Company and the Company
 Company—
 new roads.) were empowered to make and maintain the railways and exercise
 the powers in that Act mentioned, and provision was thereby made
 for the appointment of a joint committee of the two companies and
 for the exercise by that joint committee of certain of the powers so
 conferred upon the said two companies; and by the London and
 North-western Railway (New Lines and Additional Powers) Act,
 1876, the said joint committee were incorporated under the title of
 the Great Northern and London and North-western Joint Committee ;
 and it is expedient that the said joint committee should, in con-
 nexion with the railways by the said Act of 1874 authorised, be
 empowered to make the new roads and exercise the other powers in
 this Act mentioned in that behalf :

(Plans, &c.
 deposited.)

And whereas plans of the lands by this Act authorised to be
 acquired and appropriated, and also books of reference containing
 the names of the owners and lessees, or reputed owners and lessees,
 and of the occupiers of the lands required or which may be taken
 for the purposes or under the powers of this Act, and also plans and
 sections showing the respective lines and levels of the new roads and
 other works above referred to and by this Act authorised to be made,
 were duly deposited with the clerks of the peace for the several
 counties within which those lands are situate and those works will
 be made, which plans, sections, and books of reference are in this
 Act respectively referred to as the deposited plans, sections, and
 books of reference :

(Superfluous
 lands.)

And whereas it is expedient that further powers should be con-
 ferred upon the Company with respect to the sale, lease, or other
 disposal of lands acquired by them which are not or eventually may
 not be required for the purposes of their undertaking :

(Superfluous
 lands—
 North and
 South-west-
 ern Junction
 Railway.)

And whereas under and by virtue of the North and South-western
 Junction Railway Act, 1871, and the agreement for a lease set forth
 in the schedule to that Act, the undertaking of the North and
 South-western Junction Railway Company (in this Act called the
 North and South-western Company) is leased in perpetuity to the
 Company, the Midland Railway Company (in this Act called the
 Midland Company), and the North London Railway Company (in
 this Act called the North London Company) jointly, and that under-
 taking is managed by a joint committee appointed by the said
 lessees; and it is expedient that further powers should be conferred
 upon the lessees and their joint committee with respect to the sale,
 lease, or other disposal by them of lands acquired by the North and
 South-western Company for the purposes of their undertaking
 which are not or eventually may not be required for those purposes :

[40 & 41 VICT.] *London and North-western Railway* [Ch. xci.]
(Joint and Various Powers) Act, 1877.

And whereas it is expedient that the respective periods limited by the London and North-western Railway (England and Ireland) Act, 1874 (in this Act called the Company's Act of 1874), for the purchase of lands and buildings required for the purposes of the Burton Branch Railways authorised by that Act, and for the completion of those railways, should be extended, and also that the respective periods limited by the same Act for the purchase of lands and buildings required for the purposes of the Buxton and High Peak Junction Railways authorised by that Act, and for the completion of those railways, should be extended :

A.D. 1877.
 (Extension of time—
 Burton Branches and
 Buxton and
 High Peak
 Junction
 Railways.)

And whereas it is expedient that the Company should be empowered to hold, and to provide, maintain, and conduct, hotels and other accommodation in connexion with the railways owned or worked by them, and that the expenditure already incurred by the Company in respect of any of such purposes should be confirmed, and that further provision as herein-after contained should be made in relation to the matters aforesaid :

(Hotel accommodation.)

And whereas it is expedient that the agreement made between the Company and the Rhymney Railway Company, which is set forth in the First Schedule to this Act, should be confirmed :

(Rhymney Railway Company—confirmation of agreement.)

And whereas the Company carry upon their railways a considerable amount of traffic passing through the Bute Docks at Cardiff, and they have upon lands held by them adjoining the Bute East Dock provided accommodation for their traffic, and it is expedient that certain expenditure incurred and to be incurred by the Company in relation thereto should be sanctioned and confirmed :

(Lands at Bute East Dock.)

And whereas it is expedient that further provision should be made with respect to the rates or charges which the Company may demand in respect of certain extraordinary services when performed by them :

(Charges for extraordinary services.)

And whereas by the numerous Acts relating to railways now belonging to and vested in the Company, or worked by them under the authority of Parliament, different provisions with respect to the exhibition of the lists of tolls and the substance of byelaws applicable to those railways are now in force and obligatory on the Company, and it is expedient that those provisions should be made uniform and applicable alike to all those railways :

(Exhibition of lists of tolls and byelaws.)

And whereas the Company are jointly with the Lancashire and Yorkshire Company the owners of the Preston and Wyre railway, harbour, and dock, and it is expedient that the Company should be empowered to apply and contribute further moneys to purposes connected with that undertaking :

(Preston and Wyre contribution.)

[Ch. xci.] *London and North-western Railway* [40 & 41 VICT.]
(*Joint and Various Powers*) Act, 1877.

A.D. 1877.

(Great
Southern
and Western
Railway
Company—
subscription.)

And whereas by the Great Southern and Western Railway Act, 1872, the Great Southern and Western Railway Company (in this Act called the Southern and Western Company) were empowered to construct various works, and amongst them two railways, distinguished as Number 1 and Number 2, the object of which two railways was to effect an improved communication between the Southern and Western Company's railway and the Company's station and depôt at the North Wall, Dublin, and by the same Act the Company were empowered to contribute money towards the completion of those two railways, and for that purpose to subscribe towards and hold shares in the Southern and Western Company; and it is expedient that the Company should be empowered to contribute and subscribe a further sum of money towards the object aforesaid:

(Consolidation of preference shares, &c.)

And whereas the Company have attached to certain portions or classes of their preference shares or stock guaranteed or preferential dividends of various amounts and conditions and contingencies of various descriptions, and the Company have also, by way of consideration for the purchase or acquisition of the undertakings of other companies, created other stocks in their own undertaking, or have guaranteed or undertaken the payment of interest or dividends upon or in respect of the shares or stocks or of rents for or in respect of leases of the undertakings of those other companies, and it would be convenient to the holders of the several shares and stocks above referred to and of the several shares or stocks of the undertakings under leases (and which are enumerated in the Second Schedule to this Act), and to the Company, if the same were consolidated and converted in the manner and subject to the conditions and restrictions herein-after prescribed; and it is expedient that provision should be made accordingly:

(Consolidation of debenture stock.)

And whereas it would be convenient to the holders of the three and a half per centum and four per centum debenture stocks of the Company, and to the Company, if the same were consolidated as by this Act provided:

(Capital.)

And whereas it is expedient that the Company should be empowered to raise further capital for the purposes of this Act:

(Amendment of Acts.)

And whereas it is expedient that some of the powers and provisions of the existing Acts relating to the Company should be altered, amended, extended, and enlarged, and that such further powers should be granted to the Company as are herein-after mentioned:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

[40 & 41 VICT.] *London and North-western Railway* [Ch. xci.]
(*Joint and Various Powers*) Act, 1877.

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,) A.D. 1877.

1. This Act may be cited for all purposes as the "London and North-western Railway (Joint and Various Powers) Act, 1877." Short title.

2. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act; (that is to say,) Certain provisions of general Acts herein named incorporated.

The Lands Clauses Consolidation Acts, 1845, 1860, and 1869:

The Railways Clauses Consolidation Act, 1845, and Part II. (relating to extension of time) of the Railways Clauses Act, 1863:

The provisions of the Companies Clauses Consolidation Act, 1845, with respect to the following matters; (namely,)

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 nonpayment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing of money;

The conversion of the borrowed money into capital;

The consolidation of shares into stock;

The general meetings of the Company;

The making of dividends;

The giving of notices;

The provision to be made for affording access to the special Act by all parties interested:

Part I. (relating to cancellation and surrender of shares), Part II.

(relating to additional capital), and Part III. (relating to debenture stock) of the Companies Clauses Act, 1863.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction; Interpretation of terms.

The expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall for the purposes of this Act be read and have effect as if the debt or demand with

A.D. 1877. respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute ;

The expression "parish clerks" and "clerks of the several parishes" in sections seven, eight, and nine of the Railways Clauses Consolidation Act, 1845, shall, with reference to the Company and the Great Western Company, and as regards those parishes or extra-parochial places in which by the standing orders of either House of Parliament plans, sections, and other documents are required to be deposited with the clerk of the vestry of the parish, or with the clerk of the district board for the district in which the parish or extra-parochial place is included, mean in the first case the vestry clerks of those parishes, and in the second case the clerks of those district boards respectively.

Power to
Company
and Great
Western
Company
to acquire
additional
lands.

4. Subject to the provisions of this Act, the Company and the Great Western Company, or either of them with the consent of the other, may from time to time enter upon, take, use, and appropriate to the purposes herein-after mentioned all or any of the lands, houses, and buildings following, delineated on the deposited plans, and described in the deposited books of reference relating thereto ;
(that is to say,)

For sidings and for use with steam engines or other haulage power, or for any other purpose connected with the Birkenhead Railway :

Certain lands in the township of Tranmere, in the parish of Bebington, in the county of Chester, lying on the south side of and adjoining the Birkenhead Railway, and on the west side of and adjoining the Birkenhead and Chester road where that road passes under the said railway ; and certain other lands in the said township of Tranmere lying on the east side of and adjoining the said railway, and south of the bridge carrying that railway over Bridge Street ;

And they may extend in an easterly direction, for a distance of twenty yards or thereabouts, the bridge which now carries the said railway over Bridge Street :

For the like purposes connected with the West London Railway :

Certain lands, houses, and buildings in the parish of Saint Peter and Saint Paul Hammersmith, in the county of Middlesex, lying on the north side of and adjoining the Uxbridge Road, and on the west side of the Uxbridge Road Station on the West London Railway.

A.D. 1877.

The said two companies may make and carry into effect agreements with reference to the acquisition, use, and appropriation of the said lands, houses, and buildings, and the exercise of the powers aforesaid.

5. The powers of the Company and the Great Western Company for the compulsory purchase of lands under the powers of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Powers for compulsory purchase of lands by Company and Great Western Company limited.

6. The Company and the Great Western Railway Company, or either of them, shall, when required by the local board of the district of Tranmere, in the county of Chester (herein-after called the local board), in writing under their common seal, but so always as not to interfere with the continuous working of the Birkenhead Railway, take down the existing bridge which carries that railway over the road called Bridge Street, in the township of Tranmere, and they shall substitute therefor a girder bridge of a clear width of not less than thirty feet from abutment to abutment, and of not less than thirteen feet six inches in height from the underside of the girders to the present surface of the road, and the widening of the said bridge authorised by this Act shall be effected by means of girders of the like width between abutment and abutment and of the like height from the underside of the girders to the present surface of the road, and the whole of the said bridge as so altered and widened shall be constructed so that no part of the abutments thereof or other obstruction shall stand upon any part of the carriage or foot way of the said road respectively; and in remodelling and constructing the said bridge, the following rules shall be observed:

Companies to take down existing railway bridge over Bridge Street, Tranmere, and construct new bridge.

(a.) The abutments of the same shall be so constructed as not to encroach upon, interfere with, or endanger the stability of the sewer of the local board which now passes along Bridge Street, and if any injury to the said sewer shall arise by reason of the works for remodelling and constructing the said bridge, the costs and expenses of repairing the same shall be paid to the local board by the said two companies, or either of them, on demand:

(b.) So far as is practicable, the said bridge as so constructed and widened shall be water-tight:

(c.) The said two companies, or either of them, shall not commence any of the works for widening or reconstructing the said bridge until they shall have given to the local board twenty-one days notice in writing of their intention so to

A.D. 1877.

do by leaving such notice at the office of that board, with plans, elevations, sections, and other necessary particulars of the construction of the said works, and until the local board shall have signified their approval of the same, unless they fail to signify such approval or their reasonable disapproval or other reasonable directions within twenty-one days after service of the said notice and delivery of the said plans, elevations, and sections, and other particulars as aforesaid, in which event the said two companies, or either of them, shall be entitled to proceed forthwith with the works according to the said plans, elevations, and sections :

(d.) The said two companies, or either of them, shall for the purpose aforesaid, and as herein-before prescribed, comply with and conform to all reasonable directions and regulations of the local board in the execution of the said works, and the said two companies, or either of them, shall also (except as herein-after provided) save harmless the local board against all and every expense to be occasioned by the said new works, and all such works shall, subject to the provisions of this Act, be done to the reasonable satisfaction of the engineer or other officer or officers of the said board at the costs, charges, and expenses in all respects of the said two companies, or either of them : Provided always, that when the said works shall be completed as aforesaid, the local board shall pay to the two companies, or either of them, the sum of three hundred pounds towards the cost of taking down the existing bridge and substituting a girder bridge therefor :

(e.) The said two companies, or either of them, shall simultaneously with the reconstruction and widening of the said bridge erect at their own cost and charge one lamp on that side of the said bridge which the local board by notice in writing to the said two companies, or either of them, may select, and such lamp shall thereafter be kept in repair and lighted nightly at all reasonable times by and at the expense of the said two companies, or either of them :

Any dispute or difference which shall arise under this section between the local board and the said two companies, or either of them, shall be settled by arbitration in manner provided by the Railways Clauses Consolidation Act, 1845.

7. Except as by this Act expressly provided, nothing therein shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested in the local board, but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed.

A.D. 1877.
Saving rights
of Tranmere
Local Board.

8. The Company and the Great Western Company shall from time to time pay to the board of works for the Fulham district all poor, general, and other rates leviable by or payable to that board upon the respective assessments of any lands and property within that district, and shown upon the deposited plans, or a proportion of such rates respectively from the time such lands or property respectively shall be acquired by the two companies until their works are completed and assessed to such poor, general, and other rates respectively, and the amount of such rates payable by the two companies shall be computed according to the assessments of such lands or property in force at the time of such acquisition, notwithstanding that the buildings thereon or forming part thereof may have been taken down.

Company
and Great
Western
Company to
make good
certain rates
in Fulham.

9. Subject to the provisions of this Act, the Company and the Lancashire and Yorkshire Company, or either of them with the consent of the other, may from time to time enter upon, take, use, and appropriate to purposes connected with their North Union Railway all or any of the lands, houses, and buildings following, delineated on the deposited plans and described in the deposited books of reference relating thereto; (that is to say,)

Power to
Company
and Lanca-
shire and
Yorkshire
Company
to acquire
additional
lands.

Certain lands, houses, and buildings, in the township and parish of Preston, in the county of Lancaster, lying on the east side of and adjoining the North Union Railway, and between that railway and Butler Street:

Certain lands, houses, and buildings, partly in the township and parish of Leyland and partly in the township of Farington, in the parish of Penwortham, all in the county of Lancaster, lying on the west side of the North Union Railway and adjoining the Leyland Station on that railway:

The two companies may make and carry into effect agreements with reference to the acquisition, use, and appropriation of the said lands, houses, and buildings.

10. The powers of the Company and the Lancashire and Yorkshire Company for the compulsory purchase of lands under the powers of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Powers for
compulsory
purchase of
lands by Com-
pany and Lan-
cashire and
Yorkshire
Company
limited.

[Ch. xci.] *London and North-western Railway [40 & 41 VICT.]
(Joint and Various Powers) Act, 1877.*

A.D. 1877.

Power to
Great North-
ern and
London and
North-west-
ern Joint
Committee
to make new
roads.

11. Subject to the provisions of this Act, the Great Northern and London and North-western Joint Committee (in this Act called the Joint Committee) may, in the lines shown on the deposited plans relating thereto, and according to the levels shown on the deposited sections relating thereto, make the new roads herein-after described, with all proper works and conveniences connected therewith, and may exercise the other 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; (that is to say,)

- (1.) A new road, in the township and parish of Medbourne, in the county of Leicester, commencing from and out of the public road leading from Blaston, through Medbourne, to Drayton at a point thereon opposite the churchyard at Medbourne, and terminating by a junction with the public road leading from Medbourne to Neville-Holt at a point thereon three hundred and fifty yards or thereabouts east of the junction between the said two roads at Medbourne;

When the said new road is completed, they may stop up and discontinue as a public highway so much of the road from Medbourne to Neville-Holt as extends from the termination of the new road for a distance of two hundred and twenty yards or thereabouts, measured along that road in a westerly direction, and all rights of way over or along the portion of the said road so stopped up and discontinued shall be and the same are as from the stopping up thereof by this Act extinguished:

- (2.) A new bridle road, in the parish of Loddington, in the same county, commencing by a junction with the existing bridle road which leads from the public carriage road between Tugby and Owston to the public carriage road between Tilton-on-the-Hill and Loddington at a point on that existing bridle road three hundred and thirty yards or thereabouts north-west of the junction of that bridle road with the last-mentioned public carriage road, thence to be carried in a south-easterly direction for a distance of three hundred and fifty yards or thereabouts to and under the bridge recently constructed on the railway between Tilton and Market Harborough, now in course of construction, and thence in a north-easterly direction for a distance of one hundred and eighty yards or thereabouts to and terminating by a junction with the last-mentioned public

carriage road at the point of junction therewith of the said existing bridle road ;

A.D. 1877.

When the said new bridle road is completed, they may stop up and discontinue as a public highway so much of the said existing bridle road as lies between the commencement and termination of the new bridle road, and all rights of way over or along the portion of the said bridle road so stopped up and discontinued shall be and the same are as from the stopping up thereof by this Act extinguished.

12. The joint committee may in constructing the new roads deviate the same to the extent of the limits of deviation marked on the deposited plans, 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 rate of inclination as shown in the deposited sections of either of the said new roads.

Power to deviate in construction of new roads.

13. The new roads to be made by the joint committee under the authority of this Act shall, when made and completed respectively, from time to time be repaired and maintained by and at the expense of the same parties, in the same manner, and to the same extent as other roads and highways within the townships or parishes respectively in which such new roads will be situate are from time to time liable to be repaired or maintained.

Provision as to repair of new roads.

If any question shall arise between the joint committee and any of such parties as to the due completion of either new road, such question shall from time to time be determined by two justices on the application of either of the parties in difference, and after not less than seven days notice to both parties of the sitting of such justices for the purpose, and the certificate of such justices of the due completion of such new road shall be conclusive evidence of the fact so certified.

14. The powers of the joint committee for the compulsory purchase of lands under the provisions of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Powers for compulsory purchase of lands by joint committee limited.

15. If in the execution of the works by this Act authorised the Company desire to alter, remove, or otherwise interfere with any telegraph poles, wires, or telegraph apparatus belonging to Her Majesty's Postmaster General and not situate upon the Company's railway or works connected therewith, the following provisions for the protection of Post Office telegraphs shall apply ; (that is to say,)

For protection of Post Office telegraphs.

(1.) Before the Company alter, remove, or interfere with any such telegraph poles, wires, or telegraph apparatus, the

(Notice to be given before interfering)

[Ch. xci.] *London and North-western Railway* [40 & 41 VICT.]
(*Joint and Various Powers*) Act, 1877.

A.D. 1877.
with tele-
graphs.)

Company shall give to the Postmaster General one calendar month's previous notice in writing of such intended alteration, removal, or other interference, specifying all requisite and proper particulars relating thereto; and if the Postmaster General shall, before the expiration of one calendar month after the service upon him of the said notice from the Company, give the Company notice of his intention so to do, he may execute at the cost of the Company, and thereafter at his own expense maintain, the works specified in the Company's notice, and such other works, substituted wires, and conveniences as may be reasonably required for making good the telegraph poles, wires, or telegraph apparatus so required to be altered, removed, or interfered with, using all due despatch in the execution thereof and not interfering with or obstructing the use of the railway. If at the expiration of one calendar month the Postmaster General shall not have commenced such works, then such alteration, removal, or interference may be carried out by the Company, but so as to cause no impediment or obstruction whatsoever to the due transmission of messages along such wires or, at the option of the Postmaster General, along substituted wires to be provided by the Company at their own expense to the satisfaction in all respects of the Postmaster General:

(Compensation by Company to Postmaster General, and penalty.)

- (2.) Subject to the provisions of this section, the Company shall from time to time make full compensation to Her Majesty's Postmaster General for any expense, loss, or damage which he is put to or sustains by reason of any such alteration, removal, or other interference with any telegraph post, wire, apparatus, or work of the Postmaster General causing any interruption of or impediment to postal telegraphic communication; and the Company shall, in addition to making compensation as aforesaid, be liable to forfeit a sum not exceeding twenty pounds for every twenty-four hours during which that interruption or impediment continues; the amount of any such expense, loss, damage, or forfeiture shall be a debt due from the Company to the Crown, and be recoverable accordingly with costs, or the same may be recovered with costs on behalf of the Postmaster General as a penalty is recoverable from the Company:

(Saving for Telegraph Act and agreements.)

- (3.) Nothing in this Act relating to Her Majesty's Postmaster General shall take away, abridge, or prejudicially affect

any right, power, estate, or interest of the Postmaster General or of the Company under or by virtue of the Telegraph Act, 1868, or any agreement between the Company and the Postmaster General.

A.D. 1877.

16. The Company may, notwithstanding anything to the contrary in the Lands Clauses Consolidation Act, 1845, or in any Act relating to the Company with which that Act is incorporated, retain and hold any lands belonging to them which have not yet been applied to the purposes of the Company or sold or disposed of by them in the parishes enumerated in the Third Schedule to this Act 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 as the Company 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.

Extending time for sale of certain superfluous lands belonging to the Company.

But the Company shall at the expiration of such respective periods of ten years and two years sell and dispose of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes of their undertaking as superfluous lands.

17. The Company, the Midland Company, and the North London Company, as lessees of the undertaking of the North and South-western Company (in this Act called the Lessees), may, notwithstanding anything to the contrary in the Lands Clauses Consolidation Act, 1845, or in any Act relating to the lessees or to the North and South-western Company with which that Act is incorporated, retain and hold any lands belonging to them, or either of them, which have not yet been applied to the purposes of the lessees or the North and South-western Company, or sold or disposed of by them, or either of them, in the parishes enumerated in the Fourth Schedule to this Act for the period of ten years from the passing of this Act.

Extending time for sale of certain superfluous lands of lessees of North and South-western Junction Railway.

But the lessees or the North and South-western Company shall at the expiration of such period of ten years sell and dispose of all such parts of those lands respectively as shall not then have been applied to or are not then required for the purposes of the North and South-western Junction Railway as superfluous lands.

The joint committee of the lessees from time to time, acting under the provisions of the North and South-western Junction Railway Act, 1871, may in their own names effect the purposes and exercise the powers by this Act conferred upon the lessees.

A.D. 1877.

[Ch. xci.] *London and North-western Railway [40 & 41 VICT.]
(Joint and Various Powers) Act, 1877.*

Extension of
time for ac-
quisition of
lands for
Burton
Branch Rail-
ways and
Buxton and
High Peak
Junction
Railways.

Extension of
time for com-
pletion of
those rail-
ways.

18. The powers conferred on the Company by their Act of 1874, for the compulsory purchase of lands for the purposes of the Burton Branch Railways and the Buxton and High Peak Junction Railways respectively by that Act authorised are hereby extended for the period of three years from the thirtieth day of July one thousand eight hundred and seventy-seven, and at the expiration of that period those powers shall cease and determine.

19. The time limited by the Company's Act of 1874, for the construction of the Burton Branch Railways and the Buxton and High Peak Junction Railways respectively authorised by that Act, and the works connected therewith respectively, is hereby extended for the period of three years from the thirtieth day of July one thousand eight hundred and seventy-nine, and section 19 of the last-mentioned Act, so far as the same relates to the Burton Branch Railways and the Buxton and High Peak Junction Railways respectively, and the works connected therewith respectively, shall be read and construed as if the period by this Act limited for the completion of the Burton Branch Railways and the Buxton and High Peak Junction Railways respectively had been the period by that Act limited.

If the Burton Branch Railways and the Buxton and High Peak Junction Railways respectively be not completed within the extended period by this Act limited, then on the expiration of that period the powers by this Act granted to the Company for making and completing those branch railways and junction railways respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof respectively as shall then be completed.

Power to
Company to
provide hotel
accommoda-
tion.

20. The Company may hold, enjoy, and maintain as part of their undertaking the hotels now belonging to or held by them at Euston (London), Alderley Birmingham, Bletchley, Crewe, Carnforth, Holyhead, Liverpool, and Windermere; they may build, provide, and maintain as part of their undertaking at or connected with any station on any railway owned or worked by them, either solely or jointly with any other company, refreshment rooms and other like accommodation; they may furnish, stock, equip, manage, and conduct such hotels and refreshment rooms and the business thereof, and may employ officers, managers, and servants therein or in connexion therewith; and they may apply their corporate funds to those purposes, or any of them, and may acquire and hold lands for those purposes. The expenditure already incurred by the Company in or about any of the before-mentioned purposes is hereby sanctioned and confirmed. The Company may

let on lease or otherwise any hotel, refreshment room, or other like accommodation so provided by them as aforesaid. A.D. 1877.

21. The heads of agreement dated the twelfth day of November one thousand eight hundred and seventy-five, and made between the Company of the one part and the Rhymney Railway Company of the other part, which are set forth in the First Schedule to this Act, are hereby confirmed and made binding on the parties thereto, and full effect may and shall be given thereto; and the expenditure which has been incurred by the Company under or in pursuance of the provisions of those heads of agreement is hereby sanctioned and confirmed. Confirmation of agreement with Rhymney Railway Company.

22. The expenditure incurred and to be incurred by the Company upon or in respect of the lands adjoining the Bute East Dock at Cardiff now held by them, and the erection of buildings and works thereon, to an amount not exceeding seventy-five thousand pounds, is hereby sanctioned and confirmed. Confirming expenditure on lands at Bute East Dock, Cardiff.

23. The Company, in addition to any other tolls, rates, or charges which they can lawfully demand and recover, may demand and recover for the warehousing and wharfage of goods (after due notice to the consignee, and allowing a reasonable time for removal), or for any other extraordinary services performed by them not incidental to the business or duty of a carrier, such reasonable sum or sums as they may think fit; but nothing herein contained shall extend or apply to coal, cannel, culm, slack, coke, or cinders traffic where such traffic is delivered into the yards or sidings owned or rented by the consignor or consignee; but where such coal, cannel, culm, slack, coke, or cinders traffic is wharfed upon sidings or yards belonging to and in the occupation of the Company, the Company may charge a sum for the use of such siding or yard not exceeding threepence per ton in respect thereof, and if the said traffic shall remain on the said siding or yard for a longer period than four days (Sundays, Good Friday, Christmas Day, and bank holidays excepted), the Company may charge a further reasonable sum in respect thereof. Power to Company to charge for warehousing of goods, &c.

24. Nothing in this Act contained shall be construed to take away, lessen, alter, or prejudice any of the rights, powers, or privileges which the Widnes traders now have or are entitled to under or by virtue of the Saint Helen's Canal and Railway Transfer Act, 1864. Saving the rights of the Widnes traders.

25. Section 93 (list of tolls to be exhibited on a board) and section 110 (substance of byelaws to be exhibited on a board), and Provision as to list of tolls and sub-

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A.D. 1877. all other sections relating to the same subject matters, of the Railways Clauses Consolidation Act, 1845, are hereby made applicable to the Company, and so far as affects the Company to every railway belonging to or worked by them, either solely or jointly with any other company, and the requirements of those sections shall be observed and fulfilled by the Company.

—
stance of
byelaws to
be exhibited
by Company.

So much and such parts of any Act relating to any such railway as may be inconsistent with the foregoing enactment, and so far as the same were immediately before the passing of this Act obligatory on the Company shall be and the same are hereby repealed.

Contribu-
tion towards
Preston and
Wyre under-
taking.

26. The Company, with the authority of three fourths of the votes of their shareholders present, in person or by proxy, at a general meeting of the Company specially convened for the purpose, may from time to time contribute and apply further moneys in and towards the construction and maintenance of works and other purposes in connexion with the Preston and Wyre railway, harbour, and dock not exceeding fifty thousand pounds.

Subscription
to Great
Southern
and Western
Railway
Company.

27. The Company, with the authority of three fourths of the votes of their shareholders present, in person or by proxy, at a general meeting of the Company specially convened for the purpose, may from time to time contribute towards the completion of railways Numbers 1 and 2 of the Great Southern and Western Railway Act, 1872, such sum or sums of money as they may think fit not exceeding thirty-five thousand pounds (exclusive of the sums which they are already authorised to contribute).

And the following sections of the said Act of 1872 shall be read and construed as if that Act had, in addition to the sums therein mentioned, authorised the Company to subscribe the further sum of thirty-five thousand pounds above mentioned ; (that is to say.)

Section 36. (Power to North-western Company to subscribe and apply funds for that purpose.)

Section 38. (How subscription of North-western Company to be paid.)

Section 39. (Separate accounts of receipts and disbursements under this Act to be kept.)

Section 40. (Apportionment of dividend.)

Section 41. (Differences between Company and the North-western Company to be settled by arbitration.)

Section 42. (North-western Company whilst shareholders may vote at meetings of Company.)

Section 43. (Instruments of nomination, &c.)

Providing
for consoli-
dation of

28. The consolidation and conversion of the preference and guaranteed shares and stocks, and of the shares and stocks of the

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undertakings under leases enumerated in the Second Schedule to this Act, or any of them, may at any time not later than the thirty-first day of December 1880 be effected in the manner and subject to the conditions and restrictions following; (that is to say)

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 preference shares, &c.

(1.) The directors of the Company may prepare a scheme or schemes for the consolidation of all the shares and stocks above referred to, and in this section collectively included in the expression "stocks" or "stock," or of such of them as they desire to consolidate, and for the conversion of those stocks into other stocks of such names and of such amounts, and with such guaranteed, preferential, or ordinary dividends, and such other privileges and conditions attached thereto, as the scheme shall define:

(Directors to prepare scheme.)

(2.) They shall send or cause to be sent a copy of the scheme to all the proprietors of the stocks to which the scheme relates or which may be affected thereby, accompanied by a notice that the scheme will be submitted to the consideration of a meeting of the proprietors of those stocks:

(Scheme to be circulated.)

(3.) Not sooner than one month nor later than three months after the circulation of the scheme as aforesaid, the directors shall convene separate meetings of the proprietors of the several stocks to which the scheme relates or which may be affected thereby, and the directors shall submit to each of such meetings such portion or portions of the scheme as relate to or affect the stock represented at that meeting:

(Meetings of proprietors to consider scheme.)

If the proprietors present in person or by proxy at any such meeting, and holding one fourth in value of any stock to which the scheme relates, object to that portion of such scheme which relates to the stock of which they are proprietors, the scheme, so far as it relates to that stock, shall not be carried into effect, but in respect of the other stocks, and in respect of all the stocks to which the scheme relates, if no such objection is made, the scheme shall be declared to be approved:

(4.) Every meeting convened under the provisions of this section shall be convened in the manner prescribed by the Act, local and personal, 9 & 10 Vict. cap. 204., entitled "An Act to consolidate the London and Birmingham Grand Junction and Manchester and Birmingham Railway Companies," for calling general meetings of the Company:

(Meetings, how to be convened.)

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(Confirmation of scheme.)

(5.) The scheme so approved shall be submitted by the directors to a general meeting of the proprietors of the Company duly convened with special notice of the matter. If the scheme or any portion or portions thereof is or are approved by a majority of the votes of the proprietors present in person or by proxy in respect of the stock held by them according to the scale of voting prescribed by the said Act of 9 & 10 Vict. cap. 204., it shall be carried into effect by the directors, but if the whole or any portion thereof is disapproved of by such majority, the scheme or the portion or portions thereof so disapproved of shall not be proceeded with :

(Providing for future schemes.)

(6.) In the event of the failure from any cause, either wholly or in part, of any scheme or schemes prepared by the directors under this section, other than and except the disapproval thereof by the proprietors of the Company, the directors may prepare another scheme or other schemes, which shall be dealt with in like manner under the foregoing provisions as if no antecedent scheme or schemes had been prepared :

(Regulations in cases of existing companies.)

(7.) If any of the shares or stocks so proposed to be consolidated and converted are held by persons constituting an existing company having a board of directors, the provisions of this section shall in every such case be modified to the following extent; (that is to say,)

(a.) The scheme shall be first sent to and approved by such board of directors :

(b.) The copy of the scheme, if so approved, and the notice relating thereto, shall be sent by such board of directors to the proprietors in their company :

(c.) The meeting of their proprietors shall be convened by such board of directors in the manner prescribed by the Acts relating to their company for calling general meetings, and the scheme so approved shall be submitted to the meeting by such board of directors :

(Providing for execution of scheme.)

(8.) For the purpose of carrying any scheme so approved of into effect, the directors shall have and may exercise the following powers :

(a.) They may redeem existing stocks to which a power of redemption is attached by paying to the holders

thereof the amount of such stocks, together with any premiums reserved thereon : A.D. 1877.

- (b.) They may in lieu of the stocks so redeemed, and for the other purposes of the scheme, create and issue new stocks, and such new stocks may be guaranteed stock, preference stock, and ordinary stock, or any of such stocks, and of such amounts respectively, and with such dividends and other provisions and conditions attached thereto, as may be required to give effect to the scheme :

Provided always, that the aggregate amount of the dividends payable upon the new guaranteed stock and preference stock so to be created shall not, except in the case of fluctuating or variable dividends or rents, exceed the aggregate amount of the dividends payable upon the stocks in substitution for or in respect of which those new stocks are so created, but including, in the case of any holder of stock entitled to participate from time to time in the allotment of any future creation of shares or stock by the Company, dividend on the estimated money value of such right, and also including, in the case of the Lancaster and Carlisle Railway Company, in addition to their fixed rent of four and a half per centum per annum calculated on four hundred and fifty-six thousand pounds, and their fluctuating or variable rent calculated on two million four hundred and twenty thousand three hundred pounds, dividend on the capitalised value of the sum of one thousand five hundred and seventy-five pounds annually payable to that company :

Provided also, that in respect of fluctuating or variable dividends or rents which would or might have become payable under leases of undertakings, the aggregate amount of the stock or stocks so to be created in substitution for or in respect of the stocks now bearing or entitled to such dividends or rents shall be of such an amount as may be determined on in the scheme to be submitted as herein-before provided as representing the estimated value of those dividends or rents :

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Provided also, that the directors shall not issue any new guaranteed stock, except in redemption of or substitution for guaranteed stock or shares, rents under leases, or dividends, interest or other payments, having or being entitled to a guarantee or security of the like character and priority :

- (c.) Forthwith upon the consolidation and conversion taking effect, they shall issue to every holder of the stocks so consolidated and converted, free of charge for so doing, a certificate for and representing such an amount of new stock as such holder is entitled to :

Provided always, that until the issue of such new certificates the existing certificates, and the holders thereof, shall bear and possess the same rights and advantages as they would have had and possessed if this Act had not passed ; but when such new certificates are issued, the existing certificates shall be deemed to be cancelled :

Provided also, that the Company shall not be required to issue any new certificate unless and until the existing certificate in substitution for which it is issued is given up to be cancelled, or is proved to the satisfaction of the Company to have been lost or destroyed ; and if any holder of stock neglect or omit to send or deliver to the Company his existing certificate for the period of one year after notice in writing addressed to his last known place of abode, the Company may suspend the payment of any dividend declared or made payable upon or in respect of the stock held by him until such existing certificate is sent or delivered to the Company.

(Consolidated stock to be held on same trusts, &c.)

- (9.) The consolidated stock shall remain and be vested in the person or persons to whom it is issued, upon the same trusts and subject to the same powers, provisoes, declarations, agreements, charges, liabilities, and incumbrances as at the time of the issue thereof affect the stock in substitution for which the consolidated stock is issued, and so as to give effect to and not revoke any testamentary disposition of or affecting the same.

29. Any capital which the Company may have power to raise by shares or stock by any Act of any previous session, but which they have not yet created, or which they are by this Act or by any other Act passed in the present session of Parliament empowered to raise, and which when created is created as preference shares or stock, may be comprised in any scheme for the consolidation and conversion of stocks.

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New capital may be comprised in the scheme.

30. As from the thirty-first day of December one thousand eight hundred and seventy-seven, the thirty-one thousand seven hundred pounds of three and a half per centum debenture stock in the undertaking of the Company shall be converted into four per centum debenture stock in that undertaking, and from and after such conversion the stock so converted shall be consolidated with and shall for the payment of interest thereon rank *pari passu* with the existing nineteen million two hundred and eighty-five thousand three hundred and ninety-nine pounds four per centum debenture stock in the said undertaking.

Consolidation of debenture stocks.

Provided always, that such consolidation shall not take effect unless the Company shall have previous to the said thirty-first day of December one thousand eight hundred and seventy-seven created and registered in the name of each holder of their said three and a half per centum debenture stock such a nominal amount of four per centum debenture stock as will yield an amount of interest or dividend thereon equal to the amount of interest or dividend yielded by the said existing three and a half per centum debenture stock in lieu of which the four per centum debenture stock is so issued, and they may create and issue London and North-western Railway debenture stock accordingly.

Forthwith upon the consolidation taking effect, the Company shall issue to every holder of their three and a half per centum debenture stock, free of charge for so doing, a certificate for and representing such an amount of four per centum debenture stock as such holder is entitled to under the foregoing provision.

Provided always, that until the issue of such new certificates the existing certificates of three and a half per centum debenture stock, and the holders thereof, shall bear and possess the same rights and advantages as they would have had and possessed if this Act had not passed; but when such new certificates are issued, the existing certificates shall be deemed to be cancelled.

Provided also, that the Company shall not be required to issue any new certificate unless and until the existing certificate in substitution for which it is issued is given up to be cancelled, or is

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The four per centum debenture stock which is so substituted for three and a half per centum debenture stock shall remain and be vested in the person or persons to whom it is issued, upon the same trusts and subject to the same powers, provisoes, declarations, agreements, charges, liabilities, and incumbrances as at the time of the issue thereof affect the three and a half per centum debenture stock in substitution for which the four per centum debenture stock is issued, and so as to give effect to and not revoke any testamentary disposition of or affecting the same.

Trustees, &c.
may accept
new stock.

31. Trustees, executors, and administrators may accept any new, guaranteed, preference, or ordinary stock, or (as the case may be) any debenture stock created and issued under the authority of this Act, in substitution for any other shares or stock or (as the case may be) debenture stock consolidated under the authority of this Act, and may hold, dispose of, or otherwise deal with the same in all respects as they might have held, disposed of, or otherwise dealt with the shares or stock for which such new, guaranteed, preference, or ordinary stock, or (as the case may be) debenture stock was substituted.

Power to
agree with
holders of
bonds guar-
anteed by
the Com-
pany for the
substitution
of debenture
stock.

32. The Company may from time to time, with the consent of the holder of any bond the payment of either the principal or the interest secured by which is guaranteed by the Company, substitute for such bond such an amount of debenture stock of the Company as will secure to the holder thereof an amount of interest equal to that secured by the bond for which the debenture stock is substituted.

Power to
Company to
raise addi-
tional money
by creation
of shares
or stock.

33. The Company from time to time may raise for the purposes of this Act, by the creation and issue of shares or stock, such capital as they shall think necessary, not exceeding two hundred and twenty thousand pounds, exclusive of the capital which they are or may be authorised to raise by any other Act or Acts of Parliament, and the Company may create and issue such shares or stock either wholly or partially as ordinary, or wholly or partially as preferential, shares or stocks, as they may think fit.

Shares not
to issue until
one-fifth part
paid up.

34. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Except as
otherwise
provided,

35. The capital created by the Company under this Act, and the shares or stock therein, and the holders thereof respectively

(except any capital and shares or stock therein to which a preferential dividend is attached, and the holders of those shares and that stock respectively), shall be subject and entitled to the same powers, provisions, forfeitures, liabilities, rights, privileges, and incidents whatsoever in all respects as if that capital were part of the now existing ordinary capital of the Company, and those shares and that stock were shares and stock in that ordinary capital.

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new capital to be subject to same incidents as ordinary capital.

36. Every person who becomes entitled to a share or any stock created by the Company under this Act shall in respect of the same be a holder of shares or stock in the Company, and shall be entitled to a dividend, either preferential or ordinary, as the case may be, with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or stock.

Dividends on new shares or stock.

37. The holders of the shares or stock created under this Act shall have rights of voting and qualifications in respect thereof on the principle that each sum of one hundred pounds paid up in respect of the shares or stock held by any such holder shall be deemed equivalent to one original share of one hundred pounds in the capital of the Company as prescribed by their Act of Incorporation.

Votes and qualifications in respect of new shares or stock.

Provided that no person shall be entitled to vote in respect of any less amount than one hundred pounds paid up.

Provided also, that (unless otherwise specified in any resolution of the Company) no person shall be entitled to vote in respect of any share or stock created or issued under this Act to which a preferential dividend shall be assigned.

38. Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new shares or stock, and to the provisions of this Act and any other Act passed in the present session of Parliament, whether before or after the passing of this Act, by which the Company may be authorised to raise capital by new shares or stock, the Company may, if they think fit, raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new shares or stock.

New shares or stock raised under this Act and any other Act of past or present sessions may be of same class.

39. If any money is payable to a holder of shares or stock in 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.

Receipt in case of persons not sui juris.

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Power to
borrow on
mortgage.

40. The Company may, in respect of the additional capital of two hundred and twenty thousand pounds which they are by this Act authorised to raise, from time to time borrow on mortgage for the purposes of this Act any sum not exceeding in the whole seventy-three thousand three hundred pounds, but no part of such sum of seventy-three thousand three hundred pounds shall be borrowed until shares for so much of the said sum of two hundred and twenty thousand pounds as is to be raised by means of shares are issued and accepted, and one half thereof 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 or stock for the whole of such capital have been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such 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 such capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued and accepted and paid up bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, or assigns, and also, if the said capital is raised by shares, that such persons or corporations, or their executors, administrators, or assigns, are legally liable for the same.

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.

Arrears may
be enforced
by appoint-
ment of a
receiver.

41. Every provision in any Act passed before the present session of Parliament whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a receiver for enforcing payment by the Company of arrears of principal money or principal money and interest shall be and the same is hereby repealed, but without prejudice to any appointment which may have been made, or to the continuance of any proceedings which may have been commenced, prior to the passing of this Act under any such provision.

The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver; and in order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a

receiver is made shall not be less than ten thousand pounds in the whole. A.D. 1877.

42. 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. Company may create debenture stock.

43. All mortgages or bonds granted or to be granted under the authority of any former Act relating to the Company shall, during the continuance thereof, and subject to the provisions of the Acts under which such mortgages or bonds were respectively granted, have priority over any mortgages granted by virtue of this Act; and 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. Existing mortgages to have priority

44. All moneys raised under this Act, whether by shares, stock, debenture stock, or borrowing, shall be applied only to the purposes of this Act, or to which by this Act they are made applicable, and to the general purposes of the Company. Application of moneys.

45. The Company may apply to any of the purposes to which the moneys by this Act authorised to be raised are made applicable any of the moneys which they now have in their hands, or which they have power to raise by shares, stock, debenture stock, or mortgage, by virtue of any Acts relating to the Company, and which may not be required for the purposes to which they are by any such Acts made specially applicable. Power to Company to apply corporate funds to purposes of this Act.

46. The Great Western Company may apply for or towards the purposes of this Act which they are empowered to carry into effect any moneys which they now have in their hands, or which they have power to raise by shares or stock or mortgage, and which are not by any Act relating to that Company made applicable to any special purpose, or which, being so made applicable, are not required for the special purpose. Power to Great Western Company to apply corporate funds to purposes of this Act.

47. The Lancashire and Yorkshire Company may apply for or towards the purposes of this Act which they are empowered to carry into effect any moneys which they now have in their hands, or which they have power to raise by shares or stock or mortgage, and which are not by any Act relating to that Company made applicable to any special purpose, or which, being so made applicable, are not required for the special purpose. Power to Lancashire and Yorkshire Company to apply corporate funds to purposes of this Act.

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Power to
Great North-
ern and
London and
North-west-
ern Joint
Committee
to apply cor-
porate funds
to purposes
of this Act.

Interest not
to be paid on
calls paid up.

Deposits for
future Bills
not to be
paid out of
capital.

Railways not
exempt from
provisions of
present and
future gener-
al Acts.

Expenses of
Act.

48. The Great Northern and London and North-western Joint Committee may apply for or towards the purposes of this Act which they are empowered to carry into effect any money which they now have in their hands, or which they or the two companies whom they represent have power to raise by shares or stock or mortgage, and which are not by any Act relating to them or any of them made applicable to any special purpose, or which, being so made applicable, are not required for the special purpose.

49. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend 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.

50. The Company shall not, out of any moneys, 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.

51. Nothing in this Act contained shall exempt the Company or their 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, authorised to be taken by the Company.

52. 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.

SCHEDULES referred to in the foregoing Act.

A.D. 1877.

FIRST SCHEDULE.

HEADS OF AGREEMENT made the twelfth day of November one thousand eight hundred and seventy-five, between the London and North-western Railway Company of the one part, and the Rhymney Railway Company of the other part, whereby it is mutually agreed between the said Companies, for themselves and their respective successors and assigns, as follows :

1. The London and North-western Company, their successors and assigns, shall, on the construction, erection, and completion by them of the goods station and warehouse to be situate between Tyndall Street and the Bute Viaduct at the Bute Docks, Cardiff, exercise in respect of traffic to and from such goods station and warehouse the running powers conferred on them under the indenture of fourth June one thousand eight hundred and sixty-four, made between them and the Rhymney Company, subject nevertheless to the provisions and restrictions therein contained, and shall have the right to exercise in respect of the said goods station and warehouse all the powers conferred upon them by the said indenture, except so far as the terms contained in such indenture are altered by these presents, and subject as aforesaid.

2. The London and North-western Company will convey by their own engines to and from Cardiff all through goods and mineral traffic arising at or destined for points eastward of Brynmawr, and will perform the whole of the terminal service in respect of all traffic so conveyed by them over the Rhymney Railway to and from Cardiff destined for or coming from the said new goods station and warehouse or the railways of the Bute Trustees, and shall receive on such traffic the usual terminal charges.

3. The London and North-western Company will allow the Rhymney Company, and their successors and assigns, the free user of their low level approach railway as a mode of access for the traffic of the Rhymney Company to and from the railways of the trustees at the north end of the Bute Docks, but in respect of such user the Rhymney Company are to be subject to the byelaws and regulations for the time being of the London and North-western Company applicable to their said railway.

4. The Rhymney Company will forthwith permit the London and North-western Company, their successors and assigns, at their own expense, free of charge, except the rent herein-after mentioned, to make on the property of the Rhymney Company, and at all times to maintain, use, and work, a junction with the Rhymney Company's Bute Dock "Low Level Line," together with all necessary through shunts, with signals and locking gear for the protection of the same, and all other usual appliances, in the positions shown on the plan

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(*Joint and Various Powers*) Act, 1877.

A.D. 1877. — thereof signed by William Baker for the London and North-western Company, and Cornelius Lundie for the Rhymney Company, and hereunto annexed, or with such alterations and modifications, if any, as shall be mutually agreed on between the two companies, and also a connecting railway on the property of the Rhymney Company, with all usual works and conveniences connected therewith, situate on the east side of their low level line in connexion with the aforesaid junction, and passing under the Dock Branch Railway of the Rhymney Company by a bridge or opening to reach the premises of the Bute Trustees adjoining the East Dock at Cardiff, situate on the west side of such Dock Branch Railway; such bridge or opening is to be made to the reasonable satisfaction of the engineer of the Rhymney Company, and the works necessary for its construction, as also for effecting the said junction, are to be so carried on as to avoid any interference with the traffic of the Rhymney Company. The pointsmen and signalmen at the said junction are to be appointed and controlled by the Rhymney Company, and the wages paid to them, together with all other expenses incurred by the Rhymney Company, are to be repaid by the London and North-western Company at the end of each half year.

5. The London and North-western Company will pay to the Rhymney Company the clear yearly sum of fifty pounds as a rent for the land of the Rhymney Company to be used and occupied by them for the said junction, through shunts, and connecting railways, and the works and conveniences thereof, to be payable in equal half-yearly payments on every thirtieth day of June and thirty-first day of December, the first half-yearly payment to be made on such one of those half-yearly days as shall first happen after a full half year after the London and North-western Company shall take possession of the said land, with a due proportion of any preceding fraction of a half year in case such possession shall be taken at any intervening time during such preceding half year.

6. This agreement shall continue and be in force for the term of ninety-nine years from the twenty-ninth day of September one thousand eight hundred and seventy-five, unless previously determined by the consent of the parties hereto; and the said agreement of the fourth day of June one thousand eight hundred and sixty-four shall be read and construed as if the term therein mentioned had been ninety-nine years from the said twenty-ninth day of September one thousand eight hundred and seventy-five instead of ninety-nine years from the eleventh day of October one thousand eight hundred and sixty.

In witness whereof the said companies parties hereto have affixed their common seals the day and year first above written.



SECOND SCHEDULE.

A.D. 1877.

(PART I.)

Guaranteed and Preference Stocks of the Company.	Rates per cent.
Coventry and Nuneaton (with contingent half profits)	Five.
Perpetual 5 per cent. (1863)	—
Ditto - - (1866)	—
Ditto - - (1869)	—
Ditto - - (1870)	—
Ditto - - (1871)	—
Ditto - - (1873)	—
Ditto - - (1874)	—
Ditto - - (1875)	—
Ditto - - (1876)	—
St. Helen's	Five and six.
Bedford and Cambridge	Four.
Shrewsbury and Welchpool	Four.
St. George's Harbour	Four.
Merthyr, Tredegar, and Abergavenny	Five.
Whitehaven Junction	Four and a half, five, six, and ten.
Cockermouth and Workington	Four and a half, five, and ten.
Stockport, Disley, and Whaley Bridge	Four and a half.
Warrington and Stockport	Five.
South Leicestershire	Five.
South Staffordshire	Four, and four and a half.
Vale of Clwyd	Five.
Bangor and Carnarvon	Five.
Knighton, Central Wales, and Central Wales Extension	Two and a half, four, and five.

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A.D. 1877.

(PART II.)

Shares, Stocks, Bonds, and Rents guaranteed by the Company.	Rates per cent.
Bedford Branch Railway, 2,500 50l. shares (with contingent half profits) -	Four.
Birmingham, Wolverhampton, and Stour Valley Railway stock -	Variable.
Buckinghamshire Railway (with contingent half profits) -	Four.
Chester and Holyhead Railway -	Two and a half, five, and five and a half.
Huddersfield and Manchester Railway and Canal shares, 278 30l. shares, and 110 10l. shares -	Variable.
Kendal and Windermere Railway, 4,936 25l. shares, and 5,000 10l. shares -	Three and six.
Lancashire Union Railways, 5,300 100l. shares -	Five.
Lancaster and Carlisle Railway -	Four and a half and variable.
Leeds, Dewsbury, and Manchester Railway, 80 50l. shares, and 20 25l. shares -	Variable.

THIRD SCHEDULE.

SUPERFLUOUS LANDS OF COMPANY.

County.	Parish.
Stafford	{ Harborne. Wolverhampton.
Lancaster	{ Winwick. Prescot. Lancaster.
Chester	Davenham.
York (west riding)	{ Kirkheaton. Kirkburton.
Radnor	Llanbadarn Fawr.
Monmouth	Llanwenarth Ultra.

FOURTH SCHEDULE.

A.D. 1877.

SUPERFLUOUS LANDS OF NORTH AND SOUTH-WESTERN COMPANY.

County.	Parish.
Middlesex - - - -	{ Ealing. Acton. Hammersmith. Chiswick.

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