



CHAPTER cxlii.

An Act for conferring further powers upon the London and North-western Railway Company in connexion with their own Undertaking, and upon that Company jointly with the Great Western, the Lancashire and Yorkshire, and the Furness Railway Companies respectively in connexion with their joint Undertakings; for the Dissolution of the Buckinghamshire, the Bedford, the Chester and Holyhead, the Lancaster and Carlisle, and the Kendal and Windermere Railway Companies; and for other purposes.

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[21st July 1879.]

WHEREAS it is expedient that the London and North-western Railway Company (in this Act called the Company) should be empowered to make the railway widenings and the new roads, streets, and footpaths, and to stop up the existing roads, streets, and footpaths, and to execute the other works in this Act mentioned, and to acquire for the purposes of the works by this Act authorised, and for general purposes connected with their undertaking, the lands and buildings in this Act also mentioned:

(New railway, works, &c.)

And whereas the Company are, jointly with the Great Western Railway Company, the owners of the Birkenhead Railway, and it is expedient that those two companies should be empowered, for purposes connected with that railway and the branches thereof, to execute the work and exercise the powers herein-after described or referred to in that behalf:

(Company and Great Western Company, joint powers.)

And whereas the Company and the Lancashire and Yorkshire Railway Company are jointly possessed of or interested in the North Union Railway, and also of or in the railway station at Huddersfield, and it is expedient that they should be empowered for purposes connected with that railway and that station respectively, and the extension and improvement of that station, to acquire the lands, houses, and buildings herein-after described in that behalf:

(Company and Lancashire and Yorkshire Company, joint powers.)

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(Company
and Furness
Company,
joint
powers.)

And whereas the Company and the Furness Railway Company are jointly owners of the Whitehaven, Cleator, and Egremont Railway, and it is expedient that they should be empowered for purposes connected with that railway, and the providing of additional station and other accommodation thereon, to acquire the lands and exercise the powers in this Act described and contained in that behalf:

(Plans and
sections de-
posited.)

And whereas plans and sections showing the respective lines and levels of the railway widenings, new roads, and streets and other works by this Act authorised, 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, were duly deposited with the clerks of the peace for the several counties within which those works will be constructed and those lands are situate, 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, of the
Company.)

And whereas it is expedient that further powers should be conferred 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, Wrex-
ham and
Minera
Railway.)

And whereas a portion of the Wrexham and Minera Railway is, under the authority of Parliament, leased to and maintained and worked by the Company and the Great Western Railway Company jointly, and the other portion of that railway is, under the like authority, vested in the last-named company, and it is expedient that the powers in this Act contained should be conferred upon the said two Companies with respect to the sale, lease, or other disposal of lands acquired for the purposes of the said railway which are not or eventually may not be required for those purposes:

(Lancaster
Canal tram-
way.)

And whereas it is expedient to make provision for the discontinuance of the use by the public of the portion herein-after described of the tramway forming part of the undertaking of the Company of Proprietors of the Lancaster Canal Navigation (which tramway and certain lands and works connected therewith are now held for a long term of years by the Company and the Lancashire and Yorkshire Railway Company jointly as owners of the North Union Railway), and to authorise the stopping up of that portion of the said tramway, lands, and works, and the sale, exchange, or other disposition thereof:

(Cartage.)

And whereas it is expedient that further powers be conferred upon the Company for the providing and holding by them of

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booking and receiving offices for goods and parcels, and for collecting, receiving, and booking goods, parcels, and other things :

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And whereas under the provisions of the London and North-western Railway (Joint and Various Powers) Act, 1877, the guaranteed and preference stocks of the Company which are enumerated in the First Part of the Second Schedule to that Act, and the shares, stocks, bonds, and rents of other undertakings which had been guaranteed by the Company (and which are enumerated in the Second Part of the said schedule), have, with the exception of the Lancashire Union Railways shares, been consolidated and converted, and for the purpose of such consolidation and conversion the Company have created and issued fifteen million one hundred thousand four hundred and six pounds of stock, called consolidated four per cent. guaranteed stock, entitled to a perpetual guaranteed dividend of four per centum per annum not contingent upon the profits of each separate year, without right of voting or participating in further profits or advantages, such dividends to be calculated as from the first of July one thousand eight hundred and seventy-eight, and to be paid half yearly at the same time as the dividends of the Company are usually paid, and in priority to dividends upon all the preference and ordinary stocks of the Company, but after payment of the dividends or interest upon the mortgages and debenture stock of the Company ; and have also created and issued twenty-one million three hundred and twenty-eight thousand one hundred and twenty pounds of stock, called consolidated four per centum preference stock, entitled to a perpetual preferential dividend of four per cent. per annum contingent upon the profits of each separate year, without right of voting or participating in further profits or advantages, such annual dividend to be calculated as from the first of July one thousand eight hundred and seventy-eight, and to be paid half yearly at the same time as the dividends of the Company are usually paid, and in priority to dividends upon the ordinary stock of the Company, but after payment of interest or dividend upon the mortgages and debenture and guaranteed stocks of the Company :

(Dissolution
of Bedford
and other
companies.)
40 & 41 Vict.
c. xci.

And whereas all the companies whose shares, stocks, bonds, and rents have been so consolidated and converted have already been dissolved, except the Bedford, the Buckinghamshire, the Chester and Holyhead, the Lancaster and Carlisle, and the Kendal and Windermere Railway Companies, and it is expedient that those last-named companies should also be dissolved, and that any estate, powers, rights, and authorities of or in those companies respectively

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not already vested in the Company should be transferred to and effectually vested in the Company :

(Consolidation of stocks.)

And whereas by section 29 of the said Act of 1877 it was provided that any capital which the Company might have power to raise by shares or stock by any Act of any previous session, but which they had not then created, or which they were by that Act or by any other Act passed in the then present session of Parliament empowered to raise, and which when created should be created as preference shares or stock, might be comprised in any scheme for the consolidation of stocks :

And whereas the Company accordingly included in the said scheme certain stocks which prior to the preparation thereof they had under the authority of the Acts or some of the Acts referred to in the said section created as preference stock, but the Company have not yet exercised all their powers of raising capital under the said Acts, and it is expedient that any such capital not yet raised should, if and when created as preference stock, be consolidated with and form part of the said consolidated four per centum preference stock of the Company as fully and effectually as if the same had been included in the said scheme :

(Additional capital.)

And whereas it is expedient that the Company and the Lancashire and Yorkshire Railway Company respectively should be empowered to raise additional capital, and that those companies and the Great Western Railway Company and the Furness Railway Company respectively should be empowered to apply their funds as by this Act authorised :

(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 :

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

Short title.

1. This Act may be cited for all purposes as the *London and North-western Railway (Additional Powers) Act, 1879.*

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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,)

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

The Railways Clauses Consolidation Act, 1845, and Part I. (relating to construction of a railway) 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.

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

4. Subject to the provisions of this Act, the Company may, in the lines shown on the deposited plans relating thereto, and according to the levels shown on the deposited sections relating thereto, widen, alter, and improve and lay down additional lines of rails

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Incorporation of general Acts.

8 & 9 Vict. c. 18.
28 & 29 Vict. c. 108.

32 & 33 Vict. c. 18.
8 & 9 Vict. c. 20.
26 & 27 Vict. c. 92.

8 & 9 Vict. c. 16.

26 & 27 Vict. c. 118.

Interpretation of terms.

Power to Company to execute new works. (Railway widenings.)

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A.D. 1879. upon the portions of their railways herein-after described; (that is to say,)

(Huddersfield and Manchester Railway.)

(1.) So much of their Huddersfield and Manchester Railway, in the townships of Golcar, Longwood, and Huddersfield, in the parish of Huddersfield, in the west riding of the county of York, as extends from a point one hundred and fifty yards or thereabouts west of the bridge carrying Scar Lane over that railway to the bridge carrying that railway over Gledholt Road;

And so much thereof as extends from a point twelve yards or thereabouts south-west of the bridge carrying the said railway over Fitzwilliam Street to another point seventy yards or thereabouts south-west of the bridge carrying that railway over Hillhouse Lane:

Provided always, that the Company shall not, except with the previous consent in writing of the Lancashire and Yorkshire Railway Company, use for the purposes of their traffic or otherwise interfere with the siding or portion of railway in the borough of Huddersfield to which the Lancashire and Yorkshire Railway Company are or claim to be entitled by virtue of the agreement bearing date the first day of May one thousand eight hundred and forty-nine, unless and until they shall at their own expense have provided for the Lancashire and Yorkshire Railway Company a good and convenient siding, with all necessary works and accommodation, and if any difference arise between the Lancashire and Yorkshire Railway Company on the one hand, and the Company on the other hand, as to the position and sufficiency of the siding accommodation so provided, or otherwise in relation thereto, every such difference shall be settled by arbitration in the manner provided by the Railways Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration: Provided nevertheless, that the Company and the Lancashire and Yorkshire Railway Company may enter into and carry into effect agreements for and in relation to the acquisition by the Company of the said siding upon such terms and conditions as they may see fit:

(Chester and Holyhead Railway.)

(2.) So much of their Chester and Holyhead Railway and the Bettws-y-Coed branch thereof, in the parishes of Eglwys Rhos, otherwise Llanrhos, and Llangwstenin, in the county of Carnarvon, and in the townships of Trebwill, Trellan,

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and Trallwyn, in the parish of Llansaintffraid-glan-Conway, in the county of Denbigh, as lies between the bridge carrying the said Chester and Holyhead Railway over the River Conway and a point on the said Bettws-y-Coed branch one thousand five hundred yards or thereabouts south-west of the Glan-Conway Station thereon :

With all proper works and conveniences connected therewith ; and they may enter upon, 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.

5. With respect to tolls and charges, and for all other purposes whatever, the widenings and alterations of existing railways shall respectively be parts of the railways authorised to be widened and altered. Tolls.

6. In altering for the purposes of this Act the road next herein-after mentioned, the Company may make the same of any inclination not steeper than the inclination herein-after mentioned in connexion therewith ; (that is to say,) Inclination of a certain road.

No. on deposited Plan.	Parish.	Description of Road.	Inclination.
HUDDERSFIELD AND MANCHESTER WIDENING.			
42	Huddersfield	Public road - -	1' in 12.

7. The Company may make the arch of the bridge for carrying the Chester and Holyhead and Bettws-y-Coed widening over the road next herein-after mentioned of any height and span not less than the height and span next herein-after mentioned in connexion therewith ; (that is to say,) Height and span of a certain bridge.

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
4	Llansaintffraid-glan-Conway.	Public road -	8 feet 8 inches.	13 feet 6 inches.

8. In executing the widenings of the Company's Huddersfield and Manchester Railway by this Act authorised, and the works connected therewith, the following provisions for the protection of the mayor, aldermen, and burgesses of the borough of Huddersfield For protection of Huddersfield Corporation (Huddersfield and

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Manchester
Railway
widening.)

- (1.) The Company shall not be called upon to make any alteration of the existing piers, abutments, or arches of the bridges carrying the railway so to be widened over Fitzwilliam Street and Bradford Road, but the piers or abutments of the new or widened parts thereof respectively shall be set back so as to leave the clear width of fifty-three feet for Fitzwilliam Street and fifty-nine feet for Bradford Road. The widening of the railway over the said street and road respectively shall be effected by means of girders of one span, and such girders shall be so placed as to give the greatest practicable headway, which headway at the crossing over Fitzwilliam Street shall be in no part less than sixteen feet. The footpaths under the widenings shall at all times, so far as practicable be effectually protected from water droppings: Provided always, that the additional width of Bradford Road above provided for shall not be paved by the Company, but by the corporation:
- (2.) The Company shall at their own cost provide and maintain in Fitzwilliam Street and Bradford Road respectively, under the railway as widened by them, two lamps of like character and description as other street lamps of the corporation, and such lamps shall be placed in such positions and shall be kept continuously lighted by and at the expense of the Company during such hours as the corporation shall from time to time reasonably prescribe:
- (3.) Notwithstanding the limits of deviation shown on the deposited plans, the public road diversion near the Longwood Station of the Company's railway shall not be executed beyond the actual line thereof as shown on such plans, and if in the execution thereof it be found necessary to disturb any water pipe or pipes belonging to the corporation, the taking up and relaying thereof, with all works incident thereto, shall be executed according to the directions of and under the superintendence of the engineer of the corporation, and to his reasonable satisfaction, but in all respects at the expense of the Company; and if any damage be done to any such water pipe, the Company shall make full compensation to the corporation in respect of such damage:
- (4.) In executing the said widenings the Company shall not alter

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the level of any public street or road in the borough except with the consent of the corporation, and if in the execution of the works it be found necessary to alter or interfere with any sewer, drain, gas pipe, water pipe, public lamp, pavement, kerbing, or flagging in the borough belonging to the corporation, all works of alteration and replacement, and other works incident thereto, shall (except as regards the paving of Bradford Road to be executed by the corporation as herein-before provided) be executed according to plans to be reasonably approved by the borough surveyor, and shall be executed by the workmen of the corporation under the superintendence of the borough surveyor, and to his reasonable satisfaction, and all costs and expenses of and incident to such works shall be paid by the Company to the corporation on request:

- (5.) A clear and sufficient carriageway for two lines of carriage traffic and a footway shall be preserved for the passage of carriages and traffic along every road or street interfered with by the Company in executing the said widenings:

The parts of such roads or streets stopped or taken for the purposes thereof shall be effectually hoarded off from the parts left available for the traffic:

The lines, height, and character of the hoardings shall be determined in each case by the said borough surveyor, and no placards or handbills shall be permitted by the Company to be affixed thereto.

9. Subject to the provisions of this Act, the Company 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 and streets, and deviations or alterations of roads and streets, and other works herein-after described, with all proper works and conveniences connected therewith, and they may make the new footpaths and footways, and alterations of footpaths, and exercise the other powers herein-after mentioned, and may enter upon, 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 and other purposes; (that is to say,)

Power to
Company to
make new
roads and
other works.

- (1.) They may carry over their London and Birmingham Railway by means of a footbridge the existing footpath in the parish of Castlethorpe, in the county of Buckingham, which now crosses that railway on the level one hundred

(Castle-
thorpe foot-
path.)

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and eighty yards or thereabouts south-east of the bridge which carries the road from Hanslope to Stony Stratford over the same railway;

And when they have so done they may stop up and discontinue as a public highway so much of the said existing footpath as lies between the boundaries of their property:

(Roade
bridle road.)

- (2.) They may divert in the parish of Roade, in the county of Northampton, so much of the existing bridle road which crosses on the level their London and Birmingham Railway at the Roade Station as extends from a point eighty yards or thereabouts north-east to a point eighty yards or thereabouts south-west of the said level crossing, and may carry the same over the said railway by means of a bridge;

And when they have made that diversion they may stop up and discontinue as a public highway so much of the said existing bridle road as lies between those points:

(Harlestone
bridle road.)

- (3.) They may divert in the parish of Harlestone, in the county of Northampton, the under-mentioned portion of the existing bridle road which crosses on the level their authorised Bletchley, Northampton, and Rugby Railway, now in course of construction, five hundred and fifty yards or thereabouts south-east of the crossing of that railway by the public road from Church Brampton to Harlestone; (that is to say,) so much thereof as extends from a point five yards or thereabouts south of the southern boundary to a point twenty-five yards or thereabouts north of the northern boundary of the said railway, and may carry the same under the said railway;

And they may stop up and discontinue so much of the existing bridle road as lies between those points:

(Harlestone
footpath.)

- (4.) They may make in the last-mentioned parish and county a new footpath alongside of the south-western boundary of their said authorised Bletchley, Northampton, and Rugby Railway, commencing by a junction with the said public road from Church Brampton to Harlestone, and terminating by a junction with the existing footpath which crosses the said railway on the level one hundred and ten yards or thereabouts south-east of the said road;

And when they have made the new footpath they may stop up and discontinue as a public highway so much

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of the said existing footpath as lies northward of the termination of the new footpath : A.D. 1 879.

- (5.) They may make in the parish of Great Brington, in the county of Northampton, a new footpath alongside of the southern boundary of the said authorised railway, commencing by a junction with the public road to Whilton which leads out of the public road from Long Buckby to Great Brington, and terminating by a junction with the public footpath which crosses their said authorised Bletchley, Northampton, and Rugby Railway on the level one hundred and twenty yards or thereabouts east of the said public road to Whilton ;
- (Great Brington footpath.)

And when they have made the new footpath they may stop up and discontinue as a public highway so much of the said existing footpath as lies north-westward of the termination of the new footpath :

- (6.) They may make in the parish of Long Buckby, in the county of Northampton, a new footpath, in substitution for a portion of the existing footpath which crosses on the level their said authorised Bletchley, Northampton, and Rugby Railway, four hundred yards or thereabouts northward of the crossing by that railway of the public road from Long Buckby through Murcot to Watford, such new footpath commencing by a junction with the said existing footpath one hundred and seventy-five yards or thereabouts east of the said level crossing, and terminating on the west side of the said railway by a junction with the said public road thirty yards or thereabouts south-east of the junction of the said existing footpath with the said road ;
- (Long Buckby footpath.)

And when they have made the new footpath they may stop up and discontinue as a public highway so much of the said existing footpath as lies westward of the commencement of the new footpath :

- (7.) They may make in the parish of Little Bowden, in the county of Northampton, a new road, in substitution for a portion of the existing public road which passes along the northern side of their Rugby and Stamford Railway, near the junction therewith of their Northampton and Market Harborough Railway, such new road commencing from and out of the said existing road at a point thereon two hundred yards or thereabouts eastward of the junction of that road with the turnpike road from Northampton to
- (Market Harborough road and lands.)

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Market Harborough, and terminating by a junction with the turnpike road from Kettering to Market Harborough at a point on that road thirty yards or thereabouts northward of the bridge carrying the said Rugby and Stamford Railway over the last-mentioned turnpike road ;

And when they have made the new road they may stop up and discontinue as a public highway, and appropriate to the purposes of the Company's undertaking, so much of the said existing public road as lies between the commencement of the new road and the last-mentioned turnpike road ;

And they may extend for a distance of fifteen yards or thereabouts on each side thereof the bridge which carries the said Rugby and Stamford Railway over the said turnpike road from Kettering to Market Harborough ;

And they may enter upon, take, and use, and hold and appropriate to the purposes of their undertaking, the lands in the said parish of Little Bowden herein-after mentioned delineated on the deposited plans relating thereto, and described in the deposited books of reference relating thereto ; (that is to say,)

Certain lands lying northward of and adjoining the said existing road so to be stopped up, and certain other lands lying between the said road and the said Rugby and Stamford Railway, and certain other lands lying north of and adjoining that railway, and east of and adjoining the said turnpike road from Kettering to Market Harborough :

(Lilbourne
footpaths.)

(8.) They may make two new footpaths ; (that is to say,)

No. 1, in the parish of Catthorpe, in the county of Leicester, commencing on the north side of the public road level crossing at the Lilbourne Station on the Company's Rugby and Stamford Railway, and extending thence for a distance of eighty yards or thereabouts, in a north-easterly direction to and joining the existing footpath from Lilbourne to Swinford :

No. 2, commencing in the same parish and county on the south side of the said public road level crossing, and terminating in the parish of Lilbourne, in the county of Northampton, by a junction with the said existing footpath one hundred and thirty yards or thereabouts south-east of the crossing of that footpath over the River Avon ;

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And they may stop up and discontinue as a public highway so much of the said existing footpath as lies between the respective junctions therewith of the new footpaths :

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- (9.) They may make in the parish of Aston-juxta-Birmingham, in the county of Warwick, a new footpath, in substitution for a portion of the existing footpath which crosses on the level their Aston and Stechford Junction Railway, now in course of construction, near to and westward of the crossing of that railway by the public carriage road from Alum Rock to Castle Bromwich, which new footpath will be situate on the south side of and adjoining the said railway, and will extend from the said existing footpath to the said public road ;

(Castle Bromwich footpath.)

And when they have made the new footpath they may stop up and discontinue as a public highway so much of the said existing footpath as lies between the junction therewith of the said new footpath and the said public road :

- (10.) They may make in the parish of Hillmorton, in the county of Warwick, a new footpath, commencing by a junction at the south-west side of their London and Birmingham Railway with the existing footpath which passes under that railway four hundred and forty yards or thereabouts south-east of Hillmorton Church, and terminating by a junction with the same footpath eighty yards or thereabouts south-east of its junction with the public road leading past the said church from Lilbourne to Hillmorton ;

(Hillmorton footpath.)

And when they have made the new footpath they may stop up and discontinue as a public highway so much of the said existing footpath as lies between the commencement and termination of the said new footpath :

- (11.) They may divert in the parish of Yardley, in the county of Worcester, so much of the public road which crosses on the level their London and Birmingham Railway at the Stechford Station as extends from a point two hundred and ninety yards or thereabouts north to a point one hundred and sixty yards or thereabouts south of the said level crossing ;

(Stechford road.)

And they may alter the levels of so much of the road which joins the first-mentioned public road at the south side of the said level crossing as extends for a distance of

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ninety yards or thereabouts from the junction of the said two roads :

(Walsall
stream diver-
sion.)

(12.) They may divert and alter in the townships of the foreign of Walsall and the borough of Walsall, in the parish of Walsall, in the county of Stafford, the course and direction of the brook which passes under Bridgeman Street, at the level crossing of that street by their South Staffordshire Railway, between a point on the said brook forty yards or thereabouts south-west of the said level crossing and a point thereon thirty yards or thereabouts east of the bridge carrying the road from Bridgeman Street to the Company's goods yard over the said brook :

(Kenyon
junction road
and land.)

(13.) They may divert in the township of Kenyon, in the parish of Winwick, in the county of Lancaster, the under-mentioned portion of the public road which crosses on the level their Bolton and Kenyon Railway three hundred and fifty yards or thereabouts north-east of its junction with their Liverpool and Manchester Railway ; (that is to say,) so much thereof as extends from a point ninety yards or thereabouts south-east to a point one hundred and seventy-five yards or thereabouts west of the said level crossing, and may carry the same over the railway by means of a bridge ;

And when they have so diverted the said road, and have made on the east side of the railway an occupation road connecting the road numbered on the deposited plans 13 with the diverted road, such occupation road to be twenty feet in width and of a gradient of one in twenty, and to be for ever after maintained and kept in good repair by the Company, they may stop up and discontinue as a public highway so much of the said existing public road as extends from the said point ninety yards or thereabouts south-east to a point forty yards or thereabouts north-west of the said level crossing, and may appropriate to the purposes of their undertaking the portion of the said road so stopped up ;

And they may acquire, by compulsion or agreement, certain lands, houses, and buildings in the said township and parish lying on both sides of and adjoining their said Bolton and Kenyon Railway at the said level crossing :

(Earlestown
road.)

(14.) They may make in the township of Newton-in-Makerfield, in the parish of Winwick, in the county of Lancaster, a

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new road, commencing by a junction with the public road which crosses on the level their Liverpool and Manchester Railway at or near the Earlestown Station at a point on that road one hundred and ninety yards or thereabouts south of the said level crossing, and terminating by a junction with Earle Street in Earlestown at a point forty yards or thereabouts west of the junction of that street with Queen Street; A.D. 1879.

And when they have made the said new road they may stop up and discontinue as a public highway so much of the said public road as is situate within the boundaries of their property :

- (15.) They may divert in the township of Burton Wood, in the parish of Warrington, in the county of Lancaster, the under-mentioned portion of the public road known as Broad Lane which crosses on the level their Liverpool and Manchester Railway four hundred and sixty yards or thereabouts west of Collins Green Station ; (that is to say,) so much thereof as extends from a point one hundred and eighty yards or thereabouts north-west to a point one hundred and eighty yards or thereabouts south-east of the said level crossing, and may carry the same over the said railway by means of a bridge ; (Broad Lane.)

And when they have so diverted the said road they may stop up and discontinue as a public highway, and appropriate to the purposes of their undertaking, so much of the said existing road as extends from the north side of the said level crossing to the south-eastern end of the said diversion :

- (16.) And they may also divert in the last-mentioned township and parish so much of the public road which crosses on the level the said Liverpool and Manchester Railway at the Collins Green Station as extends from a point eighty yards or thereabouts south to a point one hundred and thirty yards or thereabouts north of the said level crossing, and may carry the same under the said railway ; (Collins Green road.)

And when they have so diverted the said road they may stop up and discontinue as a public highway so much of the said existing road as extends from the north side of the said level crossing to the southern end of the said diversion ;

And they may appropriate to the purposes of their undertaking the portion of the said road so stopped up :

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(Halewood
footpaths.)

- (17.) They may make in the township of Halewood, in the parish of Childwall, in the county of Lancaster, a new footpath along the south side of their Garston and Warrington Railway, commencing by a junction with the existing footpath which passes under that railway near New Hut Farm, and terminating by a junction with the existing footpath which crosses the said railway on the level near the same farm; and they may make in the same township and parish another new footpath from the first-mentioned new footpath passing under the said railway to and into New Hut Lane;

And when they have made the said new footpaths they may stop up and discontinue as a public highway so much of the said two existing footpaths as is situate northwards of the junctions therewith respectively of the first-mentioned new footpath:

(Walton-on-
the-Hill new
street.)

- (18.) They may make in the township of West Derby, in the parish of Walton-on-the-Hill, in the county of Lancaster, a new street, commencing by a junction with Chatsworth Street, Liverpool, twenty yards or thereabouts south of the junction of that street with Harbord Street, and terminating by a junction with Edgware Street fifteen yards or thereabouts north of the junction of that street with Westminster Street:

(Saint
Helens new
roads, &c.)

- (19.) They may make in the township of Sutton, in the parish of Prescot, in the county of Lancaster, two new roads, namely:

No. 1, commencing by a junction with the Warrington old road at a point thereoneighty yards or thereabouts north of the crossing on the level of that road by their Saint Helens passenger line of railway near the Saint Helens Gasworks, and terminating at or near the south-east corner of Messieurs Cannington, Shaw, and Company's Sherdley Glass Bottle Works:

No. 2, commencing by a junction with No. 1 immediately north of the Ravenhead branch of the said railway, and terminating on the same side of the branch at the level crossing on that branch immediately east of Messieurs Lyon Brothers Bottle Works;

And when they have made the said two new roads they may stop up and discontinue as public highways—

(a.) The last-mentioned level crossing:

(b.) The road and footpath which lie between the War-

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rington old road near Holly Cottage and the termination of the New Road No. 1;

(c.) The road and footpath which adjoins the north side of the Ravenhead branch and lies between the road and footpath so proposed to be stopped up and the said level crossing at Messieurs Lyon Brothers Bottle Works; and

(d.) So much of the Warrington old road as lies between the commencement of the New Road No. 1 and a point on that old road twelve yards or thereabouts east of the crossing thereof on the level by the said Ravenhead branch;

And they may appropriate to the purposes of their undertaking and of this Act the portions of roads so intended to be stopped up;

And they may arch over the whole or any part of the New Road No. 1 between the crossing thereof by the said Saint Helens Railway and a point thereon fifty yards or thereabouts south of the said Ravenhead branch;

And they may enter upon, take, and use, and hold and appropriate to the purposes of their undertaking, the lands in the same township and parish herein-after mentioned, delineated on the deposited plans relating thereto, and described in the deposited books of reference relating thereto; (that is to say,)

Certain lands lying on the south side of and adjoining the said Ravenhead branch, and between the said two level crossings on that branch:

(20.) They may divert in the township of Bedford, in the parish of Leigh, in the county of Lancaster, the under-mentioned portion of the existing footpath which crosses on the level their Liverpool and Manchester Railway five hundred yards or thereabouts east of the Glazebury Station thereon; (that is to say,) so much thereof as lies between a point on that footpath north of and adjoining the said level crossing and another point thereon two hundred and seventy yards or thereabouts south-west of that level crossing, and they may carry the same under the said railway;

(Bedford,
Lancashire,
footpath.)

And when they have so diverted the said footpath they may stop up and discontinue so much of the said existing footpath as lies between the commencement and termination of the said diversion;

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And they may enter upon, take, and use, and hold and appropriate to the purposes of their undertaking, the lands in the same township and parish delineated on the deposited plans relating thereto, and described in the deposited books of reference relating thereto ; (that is to say,)

Certain lands lying on the south side of and adjoining the said railway at and westward of the said level crossing :

(Patricroft
footpath.)

- (21.) They may divert in the township of Barton-upon-Irwell, in the parish of Eccles, in the county of Lancaster, so much of the existing footpath which adjoins the southern side of their Liverpool and Manchester Railway as extends for a distance of four hundred and forty yards in a westerly direction from Monton Lane ;

And when they have so diverted the said footpath they may stop up and discontinue as a public highway, and appropriate to the purposes of their undertaking, so much of the said existing footpath as will be rendered unnecessary by reason of the diversion :

(Manchester,
Victoria
Street
Station
Approach.)
41 & 42 Vict.
c. clxxxii.

- (22.) They may, in substitution for the new street or approach to the Victoria Station in Manchester authorised by subsection 14 of section 4 of the London and North-western Railway (New Railways, &c.) Act, 1878, make and maintain a new street, commencing in the township and parish of Manchester, in the county of Lancaster, by a junction with Victoria Street at a point forty-five yards or thereabouts north-east of the junction of that street with Victoria Bridge Street, and terminating in the township of Salford, in the same parish, at a point sixty-five yards or thereabouts north of the junction of Greengate and Chapel Street, and sixty yards or thereabouts west of Salford Bridge, and may carry the said new street over the River Irwell and over Chapel Street respectively by means of a bridge :

Provided always, that the bridge over Chapel Street shall (unless with the previous consent in writing of the mayor, aldermen, and burgesses of the borough of Salford under their corporate seal) be a girder bridge with a clear headway throughout of not less than eighteen feet, and shall not (unless with the like consent) be wider than sixty feet between the parapets :

(Manchester,
Gorton
Street.)

- (23.) They may, in the township of Salford, in the parish of Manchester, in the county of Lancaster, widen Gorton Street on the north-west side thereof throughout its entire length ;

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(Additional Powers) Act, 1879.

And they may stop up and discontinue as a public highway so much of Dawson Street as is situate beneath their viaduct : A.D. 1879.

(24.) They may alter the levels of the under-mentioned portion of the public road in the parish of Trevethin, in the county of Monmouth, which crosses on the level their Brynmawr and Blaenavon Railway six hundred yards or thereabouts west of the booking office of the Blaenavon Station thereon ; (that is to say,) so much thereof as extends from a point one hundred and forty yards or thereabouts north-east to a point ninety yards or thereabouts south of such level crossing, and they may carry the same over that railway by means of a bridge : (Blaenavon road.)

(25.) They may stop up and discontinue as a public highway in the same parish and county so much as lies within the boundaries of their property of the footpath which now crosses the same railway on the level two hundred and fifty yards or thereabouts west of the last-mentioned public road level crossing : (Blaenavon footpath.)

(26.) They may, in the parish of Swansea, in the county of Glamorgan, stop up and discontinue as a public highway the public footpath which leads from the Oystermouth Road to the seashore across their railway on the level opposite the end of Gorse Lane, and may construct in lieu thereof a footbridge over the railway between the said road and the seashore at a point twenty-five yards or thereabouts east of the said level crossing : (Swansea footpath.)

The footbridge so constructed shall be deemed to be the footbridge on the south side of Gorse Lane provided for by section 30 of the Llanelly Railway and Dock Act, 1863. 26 & 27 Vict. c. ciii.

10. In the diverting and altering of the course and direction of the brook which passes under Bridgeman Street, in the borough of Walsall, the following provisions for the protection of the mayor, aldermen, and burgesses of the borough of Walsall (in this section called the corporation) shall have effect ; (that is to say,) For the protection of the Corporation of Walsall.

(A.) The Company shall make the new course or channel for the said brook of a superficial area of one hundred and fifty feet at the least, measured at right angles, for so much of the length thereof as shall be under Bridgeman Street, and the bed of the said new course or channel, for the remainder of its length both north and south of Bridgeman Street, shall be of the minimum width of eight feet, with slopes

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at an inclination of one to one, and shall, on the lower or southerly side of Bridgeman Street, and between such street and the level crossing over the Company's railway known as Bodley's crossing, have a gradient of not less than one in five hundred; and the said new course or channel shall be constructed to the reasonable satisfaction of the surveyor of the said borough :

- (B.) The level of the bed of the new course or channel where it passes under Bridgeman Street shall be seven feet below the upper surface of the rails of the South Staffordshire line of the Company at the point marked X on the deposited plans; and the level of the roadway and footpaths of Bridgeman Street when carried over such new course or channel shall be one foot, and no more than one foot, above the upper surface of the said rails at the point above mentioned :
- (c.) The gas, main, and all fittings and accessories thereto along the part of Bridgeman Street to be carried over the said brook shall be relaid and restored, and the carriageway, footways, and pavements of the said street shall be restored and made good to the reasonable satisfaction of the said surveyor.

Any dispute which may arise between the Company and the corporation under this section shall be settled by an arbitrator to be nominated by the said parties, or, if they cannot agree to such nomination, by an arbitrator to be nominated by the President for the time being of the Institution of Civil Engineers, on the application of either party, and the provisions of the Railways Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration shall apply to such arbitration.

For the protection of the South Staffordshire Waterworks Company.

11. For the protection of the South Staffordshire Waterworks Company, the provisions contained in sections 18, 19, 20, 21, 22, and 23 of the Railways Clauses Consolidation Act, 1845, shall apply to the works at and near Bridgeman Street, in the borough of Walsall, by this Act authorised in the same way and have the same force and effect as if such works were done for the purpose of constructing a railway.

For protection of Corporation of Manchester (Victoria Street Station.)

12. Nothing herein contained shall interfere with or prejudice the thirty-ninth section of the London and North-western Railway (New Railways, &c.) Act, 1878, for the protection of the mayor, aldermen, and citizens of the city of Manchester, in the county of Lancaster, and such section shall apply to the works in the town-

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ship and parish of Manchester authorised by this Act, and described under the marginal note or heading "Manchester, Victoria Street Station approach," as if such last-mentioned works had been authorised by the said Act of 1878. A.D. 1879.

The bridge over the River Irwell shall be a horizontal girder bridge, having a clear vertical height of not less in any part than thirty feet above the ordinary surface of the water in the river.

During the construction thereof the following provisions shall have effect :

To prevent any interference with or danger to the traffic of Victoria Street, the Company shall not erect or place thereon any scaffolding, staging, platform, or other work, except in such position as shall be approved by the city surveyor, and the works shall be sufficiently lighted and watched, both by day and night, until the completion thereof by and at the expense of the Company; and arrangements shall be made, at the cost of the Company, to the reasonable satisfaction of the city surveyor, that the tramway and general traffic in the said street shall be continued during the progress of the works; and the Company shall pay any expenses or loss incurred or occasioned to the Manchester Corporation or their lessees by reason of the interference with or stoppage of the said tramway traffic during the execution of the works.

13. In executing the works within the borough of St. Helens by this Act authorised, the following provisions for the protection of the mayor, aldermen, and burgesses of that borough (in this section called the corporation) shall be observed and have effect : For protec-
tion of Cor-
poration of
St. Helens.

(1.) Before the Company stop up or interfere with the Warrington old road, except so far as may be necessary for the purposes herein-after mentioned, they shall make and complete an alteration of the levels of that road, and a road in substitution for the portion of the Warrington old road to be stopped up connecting that road with the New Road No. 1, in the township of Sutton, in the parish of Prescot, by this Act authorised, such alteration of levels and substituted road to be made according to the line and levels thereof shown on the plan and section signed by the Right Honourable William Nathaniel Massey, the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred :

(2.) The substituted road shall not in any part thereof be of a

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less width than twenty feet (including a footpath on one side of five feet) :

- (3.) The said New Road No. 1 shall be constructed by the Company of a width of thirty feet between the commencement thereof and a point immediately south of where it passes under the said Ravenhead branch, and for the remainder of its length of a width of sixteen feet :
- (4.) The Company shall lay down and complete at their own expense all sewers, gas and water pipes, and connexions therewith under the altered portion of the road aforesaid and the substituted road, and hand over the same to the corporation accordingly :
- (5.) The altered portion of road and the substituted road and the New Roads Nos. 1 and 2, in the said township and parish, by this Act authorised shall respectively be metalled, sewered, and completed by and at the expense of the Company :
- (6.) The arching over the said New Road No. 1, between the points C and J on the deposited plan relating thereto shall not be continuous, but shall have openings therein for light and ventilation of an aggregate length of not less than one sixth of the entire length of the arching :
- (7.) All the works provided for by or done under the provisions of this section shall be executed to the reasonable satisfaction in all things of the corporation.

Power to
Company to
acquire additional lands,
&c.

14. Subject to the provisions of this Act, and in addition to the other lands, houses, and buildings which the Company are by this Act authorised to acquire, the Company may from time to time enter upon, take, use, and appropriate to the purposes of extending the station, siding, warehouse, wharf, depôt, mineral, goods, and other accommodation of the Company, and for other purposes connected with their undertaking, the lands, houses, and buildings herein-after described or referred to, and may in connexion with such use and appropriation execute the works and exercise the powers herein-after mentioned ; (that is to say,)

IN THE COUNTY OF MIDDLESEX.

(Salisbury
Road.)

Certain lands in the parish of Willesden lying on the northern side of and adjoining their London and Birmingham Railway, and between Salisbury Road and the public road leading over the said railway from Kensal Green to their Kensal Green Station.

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Certain lands in the parishes of Willesden and Twyford lying on the north side of and adjoining their London and Birmingham Railway, and east of and adjoining the River Brent.

(Willesden.)

IN THE COUNTY OF BUCKINGHAM.

Certain lands in the township of Fenny Stratford, in the parish of Bletchley, lying on the east side of and adjoining their London and Birmingham Railway at the junction therewith of their branch to Bedford.

(Bletchley.)

IN THE COUNTY OF NORTHAMPTON.

Certain lands, houses, and buildings in the parish of Saint Peter Northampton lying on the east side of and adjoining their railway from Blisworth to Market Harborough, and extending from West Bridge on the north to the River Nene on the south.

(Northampton.)

IN THE COUNTY OF WARWICK.

Certain lands, houses, and buildings in the parish of Rugby lying on the south and west sides of and adjoining their property, and on the north side of and abutting upon Wood Street, near its junction with Station Road.

(Rugby.)

Certain lands in the parish of Stoneleigh lying on the west side of and adjoining their Coventry and Leamington Railway, and south of and adjoining Green Lane.

(Stoneleigh.)

Certain lands in the parish of Bickenhill lying on the north-east side of and adjoining their London and Birmingham Railway at and near the Marston Green Station ;

(Marston Green.)

And they may divert and stop up so much of the footpath which now crosses that railway on the level, one hundred and fifty yards or thereabouts south-east of the said station, as extends in an easterly direction for a distance of one hundred yards or thereabouts from the south-western side of the said railway, and may carry the same over the said railway by means of a bridge.

Certain land in the parish of Nuneaton now used as an occupation road from Bond Street, Nuneaton, to the field west of and adjoining their goods station at Nuneaton.

(Nuneaton.)

IN THE COUNTY OF WORCESTER.

Certain lands in the parish of Yardley lying on both sides of and adjoining their London and Birmingham Railway, and east of and near to the Stechford Station.

(Stechford.)

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A.D. 1879.

IN THE COUNTY OF STAFFORD.

(Walsall.)

Certain lands, houses, and buildings in the townships of the foreign of Walsall and the borough of Walsall, in the parish of Walsall, lying on the south-east side of and adjoining Pig Lane, and between that lane and the goods yard of the Company;

And also certain other lands, houses, and buildings in the same townships and parish lying on the south-east side of and adjoining the houses on that side of the Company's South Staffordshire Railway between Park Street and Saint Paul's Street.

IN THE COUNTY OF NOTTINGHAM.

(Colwick Junction.)

Certain lands partly in the township of Carlton, in the parish of Gedling, and partly in the parish of Colwick, lying between and adjoining the Nottingham and Grantham Railway of the Great Northern Railway Company and the Railway No. 1 authorised by the Great Northern Railway (Derbyshire and Staffordshire) Act, 1872, at the junction of those railways known as Colwick East Junction.

35 & 36 Vict.
c. cxxxix.

IN THE COUNTY OF SALOP.

(Whitchurch.)

Certain lands in the township and parish of Whitchurch lying on the east side of and adjoining their railway from Crewe to Shrewsbury, and north-east of and adjoining the Whitchurch Station.

IN THE COUNTY OF CHESTER.

(Latchford.)

Certain lands in the township of Latchford, in the parish of Grappenhall, lying on the north side of and adjoining their Warrington and Stockport Railway at the Latchford Station thereon.

IN THE COUNTY OF LANCASTER.

(Newton Bridge.)

Certain lands in the township of Newton-in-Makerfield, in the parish of Winwick, situate at the crossing of their Liverpool and Manchester and Winwick and Golborne Railways, and adjoining the south and south-east sides of those railways respectively.

(Pighue Lane.)

Certain lands, houses, and buildings in the township of Waver-tree, in the parish of Childwall, lying on both sides of and adjoining their Bootle Branch Railway at and north of the crossing of that railway by Pighue Lane; but nothing in this Act contained shall empower the Company to take or interfere with any portion of Rathbone Road.

(Garston.)

Certain lands, houses, and buildings in the township of Garston, in the parish of Childwall, bounded by Dale Street, Blackburn

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Street, and King Street, and lying south of Shand Street, including, if and when they have become the owners of the land on both sides thereof, the sites of Castle Street and Blackburn Street and of so much of Dale Street as abuts upon the said lands, houses, and buildings :

A.D. 1879.

Provided always, that the Company shall not, except for the purposes of this proviso, stop up nor interfere with the sewer now existing in Dale Street, and the Company shall not stop up nor interfere with the existing sewer in Blackburn Street unless and until the Company shall have first made and provided in lieu thereof, to the reasonable satisfaction of the Garston Local Board, a new and sufficient sewer in or along Shand Street from King Street to Dale Street, and shall, to the like satisfaction, have taken up the sewer in Dale Street between Blackburn Street and Shand Street, and re-constructed such sewer of the same dimensions as that portion of the same sewer which runs immediately westward from Blackburn Street, and shall have connected such substituted sewer in Shand Street with the sewers in King Street and Dale Street respectively, and shall also have taken up and re-constructed, to the like satisfaction, so much of the main sewer now existing in King Street between Blackburn Street and Shand Street as may be necessary to connect the same with the said new substituted sewer in Shand Street; and until such new sewers shall have been completed, the drainage and sewerage through the existing sewers in Blackburn Street, King Street, and Dale Street shall not be obstructed by the Company, and the local board and their surveyor and workmen shall have full liberty of access to all the said sewers whenever deemed necessary for the purpose of repairs or otherwise :

Provided also, that the metalling, paving, and kerbstones and other materials of so much of the said streets and portion of street so to be stopped up within the district of Garston as may have been dedicated to the public shall remain the property of the local board, and it shall be lawful for the said board to remove and carry away the same, and also all lamps, lamp-posts, and pipes belonging to the said local board in the said streets.

Certain lands, houses, and buildings at Edge Hill, Liverpool, (Edge Hill.) in the township of West Derby, in the parish of Walton-on-the-Hill, being the premises numbered respectively 45 in Edge-ware Street, 36 and 39 in Uxbridge Street, and 34 in Moorgate Street.

Certain lands, houses, and buildings in the township of Sutton, (Peasley Cross.)

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in the parish of Prescott, lying on both sides of and adjoining their Sutton Oak Branch Railway at and near its junction with their Saint Helens Railway.

(Saint Helens.)

Certain lands, houses, and buildings in the township of Windle, in the parish of Prescott, lying on the east side of and adjoining their property at their Saint Helens passenger station.

(Patricroft.)

Certain lands in the township of Barton-upon-Irwell, in the parish of Eccles, situate at the intersection of their Eccles, Tyldesley, and Wigan Railway and their Clifton Junction Branch Railway, and on the east and south sides of those railways respectively.

(Liverpool Road, Manchester.)

Certain lands, houses, and buildings in the township and parish of Manchester bounded by their Liverpool Road goods station and by Charles Street and Lower Byrom Street ;

And if and when they have become the owners of the land on both sides thereof, they may stop up and discontinue as public highways Ashton Street, New Street, Dunbar Street, Garden Court, and all or any of the other streets, courts, alleys, and passages lying within the limits of the lands, houses, and buildings lastly described, and may appropriate the sites thereof to the purposes of their undertaking.

(Preston.)

Certain lands, houses, and buildings in the township and parish of Preston lying between and adjoining the Lancaster and Carlisle Railway and Leighton Street.

(Garstang.)

Certain lands in the townships of Barnacre-with-Bonds and Catterall, in the parish of Garstang, lying on the west side of and adjoining the Lancaster and Carlisle Railway, and between the Garstang Station and the River Calder.

IN THE COUNTY OF YORK (WEST RIDING).

(Hill House.)

Certain lands, houses, and buildings known as the Whitestone Works, in the township and parish of Huddersfield, situate near the Company's engine sheds at Hill House ;

And also certain other lands in the same township and parish adjoining and on the south side of the said works ;

And also certain other lands in the same township and parish adjoining the Company's property and near to and northwards of the said engine sheds :

Provided always, that the said lands or any part thereof when so acquired shall be held for the purposes and upon and subject to the conditions mentioned in article 10 of the agreement bearing date the ninth day of March one thousand eight hundred and seventy-eight, scheduled to and confirmed by the London

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and North-western Railway (Wortley to Leeds, &c.) Act, 1878, and shall be held so as to carry into effect any plans which may have already been or may hereafter be agreed upon between the Company and the Lancashire and Yorkshire Railway Company pursuant to the said agreement.

A.D. 1879.
 41 & 42 Vict.
 c. ci.

IN THE COUNTY OF CARNARVON.

Certain land in the parish of Eglwys Rhos, otherwise Llanrhos, lying on the north side of and adjoining their Chester and Holyhead Railway, near the junction therewith of their Bettws-y-Coed branch.

(Llandudno Junction.)

Certain lands (including part of the foreshore of the River Conway) partly in the parish of Conway, and partly in the township of Cymryd, in the parish of Gyffin, lying on the south side of and adjoining their Chester and Holyhead Railway at the west end of Conway Bridge.

(Conway foreshore.)

15. The Company shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses; and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Company have made known their intention to take the same in manner herein-before required.

Notice to be given of taking by Company houses of labouring classes.

16. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of any house which the Company are by this Act authorised to acquire, the Company shall (unless they and such person otherwise agree) procure sufficient accommodation elsewhere for such person: Provided always, that if any question shall arise as to the sufficiency of such accommodation, the same shall be determined by a justice:

Company to procure accommodation for persons of the labouring classes to be displaced.

The Company may for the purpose of providing such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire, and may purchase lands by agreement, and may on any such lands erect labouring-class dwellings, and may let or otherwise dispose of such lands or dwellings.

17. And whereas, in the exercise by the Company of the powers of this Act, it may happen that portions only of the lands, buildings,

Owners may be required to sell to

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Company
parts only of
certain lands
and build-
ings.

or manufactories shown on the deposited plans will be sufficient for the purposes of the Company, and that such portions may be severed from the remainder of the said properties without material detriment thereto :

Therefore, notwithstanding section 92 of the Lands Clauses Consolidation Act, 1845, the owners of and persons interested in the lands, buildings, or manufactories described in the First Schedule to this Act, and whereof parts only are required for the purposes of the Company, may (if such portions can, in the judgment of the jury, arbitrator, or other authority assessing or determining the compensation under that Act, be severed from the remainder of the said properties without material detriment thereto) be required to sell and convey to the Company the portions only of the premises so required, without the Company being obliged or compellable to purchase the whole or any greater portion thereof, the Company paying for the portions required by them, and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

For protec-
tion of the
Corporation
of Manches-
ter (Liver-
pool Road
lands).

18. In exercising the powers by this Act conferred upon the Company with respect to the lands, houses, and buildings at Liverpool Road, in the city of Manchester, the following provisions for the protection of the corporation of that city (in this enactment called the corporation) shall be binding upon the Company and the corporation respectively, and full effect shall be given thereto :

- (1.) The lamps, pillars, flags, paving stones, curbs, and grids, and such portion of the road materials as the corporation may think fit, in any street which shall be stopped up or absorbed wholly or in part by the Company under the powers of this Act, shall remain and be the property of the corporation, and may be removed by them :
- (2.) The cost of all sewers, drains, water, gas, or other pipes or apparatus belonging to or under the control of the corporation which may be in any street, way, court, or passage which shall be stopped up or absorbed by the Company under the powers of this Act, shall be paid to the corporation by the Company on demand, and thereupon the same sewers, drains, water, gas, or other pipes or apparatus shall become the property of the Company :
- (3.) Whenever in the execution of the powers of this Act it shall be necessary to alter or interfere with any of the sewers or drains, or any of the gas, water, or other mains or pipes or apparatus belonging to the corporation, such

alteration or interference shall be carried out by and under the direction of the corporation, but at the expense in all respects of the Company :

A.D. 1879.

- (4.) The cost of constructing, providing, and laying any new sewers, drains, mains, pipes, or apparatus in substitution for those which may be rendered useless by such alteration shall be repaid to the corporation by the Company on demand.

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

Period for compulsory purchase of lands by Company.

20. The Company may and shall abandon and relinquish the construction of the following works ; (that is to say),

Abandonment of works authorised by 41 & 42 Vict. cc. clxxxi. and clxxxii.

- (1.) The new footpath authorised by sub-section 2 of section 4 of the *London and North-western Railway (Additional Powers) Act, 1878* :

- (2.) The new street or approach to the *Victoria Station* authorised by sub-section 14 of section 4 of the *London and North-western Railway (New Railways, &c.) Act, 1878*.

21. The abandonment by the Company of the new footpath and the new street respectively referred to in the last preceding section of this Act shall not prejudice or affect the right of the owner or occupier of any land to receive compensation in accordance with the provisions in that behalf of the *Lands Clauses Consolidation Act, 1845*, for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil, or setting out of the line of the authorised work.

Compensation for damage to land by entry, &c. for purposes of works abandoned by Company

22. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the new footpath and new street by this Act authorised to be abandoned, and which shall not be required for the purposes of any of the works by this Act authorised, full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice.

Compensation to be made by Company in respect of works abandoned.

The amount and application of the compensation shall be determined in manner provided by the *Lands Clauses Consolidation Act, 1845*, for determining the amount and application of compensation paid for lands taken under the provisions thereof.

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Power to
Company
and Great
Western
Company to
make new
footpath, &c.

23. Subject to the provisions of this Act, the Company and the Great Western Railway Company jointly, or either of them with the consent of the other, may make the new footpath and may exercise the other powers herein-after specified ; (that is to say,)

(1.) They may make a new footpath in the township of Childerthornton, in the parish of Eastham, in the county of Chester, commencing by a junction with the public highway which crosses by a bridge over the Hooton and Helsby Branch Railway nine hundred and fifty yards or thereabouts south of the Hooton Station at a point on that public highway immediately east of the said bridge, and terminating by a junction with the public footpath which crosses the said branch railway on the level three hundred and fifty yards or thereabouts north of the said bridge at a point on that footpath immediately east of that level crossing :

(2.) They may in the said township and parish, and in the township of Willaston, in the parish of Neston, in the same county, stop up and discontinue as public highways the portions lying within the boundaries of their properties of the existing footpaths which now cross the under-mentioned railways on the level at the points herein-after described ; (that is to say,)

(a.) The Birkenhead Railway and the Hooton and Helsby Branch Railway, at or near the junction of those two railways ;

(b.) The said two railways, at one hundred and forty yards or thereabouts south of the said junction ;

(c.) The Hooton and Parkgate Branch Railway, at five hundred and fifty yards or thereabouts south of its junction with the Birkenhead Railway ;

(d.) The last-mentioned branch railway, at four hundred yards or thereabouts west of the last-mentioned level crossing, and nine hundred and fifty yards or thereabouts south-west of the last-mentioned junction ;

And the said two companies may make and carry into effect agreements with respect to the matters aforesaid.

Power to
Company
and Lan-
cashire and

24. Subject to the provisions of this Act, the Company and the Lancashire and Yorkshire Railway Company jointly, or either of them with the consent of the other, may, for purposes connected

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with their North Union Railway and their respective railways at Huddersfield and the station there, enter upon, take, and use the lands, houses, and buildings following, delineated upon the deposited plans relating thereto, and described in the deposited books of reference relating thereto, and may execute the work herein-after described; (that is to say,)

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—
Yorkshire
Company to
acquire lands,
&c.

They may acquire certain lands in the township and parish of Leyland, in the county of Lancaster, lying on the west side of and adjoining the North Union Railway south of and near to the Leyland Station on that railway; and

(Leyland.)

Certain lands, houses, and buildings in the township and parish of Huddersfield, in the west riding of the county of York, lying on the west side of and adjoining the two companies goods station at Huddersfield; and certain other lands in the same township and parish lying at the intersection of John William Street and Fitzwilliam Street, and between those streets and the railway viaduct there;

(Hudders-
field.)

And they may construct additional arching over John William Street for a distance of thirty yards or thereabouts in a northerly direction from the said viaduct.

25. In the exercise by the Company and the Lancashire and Yorkshire Railway Company (in this section called the two companies), or either of them, of the powers by the last preceding section conferred upon them with respect to lands and works at Huddersfield, the following provisions for the protection of the mayor, aldermen, and burgesses of the borough of Huddersfield (in this section called the corporation) shall be observed and have effect:

For protec-
tion of Hud-
dersfield
Corporation
(lands and
additional
arching).

- (1.) The two companies shall take down the existing arch over John William Street, and re-construct the same, with the additional arching over that street by this Act authorised, by means of girders of one span, the outer girders being of ornamental character. Such span shall be of the clear width of not less than sixty-three feet. The eastern abutment of the said arching shall be so placed as to give a uniform line of frontage to the street from the north-west corner of the George Hotel stables to the southern corner of Coney's stables, and the western abutment of the said arching shall be so placed as to give a line of frontage uniform with the present frontage of the said street on each side of the existing bridge. The girders shall be placed at such a height as to give the greatest practicable headway. The footways shall at all times, so

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(Additional Powers) Act, 1879.

A.D. 1879.

far as practicable, be effectually protected from water droppings: Provided always, that the additional width of John William Street above provided for shall not be paved by the two companies, but by the corporation:

- (2.) The two companies shall at their own cost provide and maintain under the arching over John William Street four lamps of like character and description as other street lamps of the corporation, and such lamps shall be placed in such positions and shall be kept continuously lighted by and at the expense of the Company during such hours as the corporation shall from time to time reasonably prescribe:
- (3.) A clear and sufficient carriageway for one line of carriage traffic and one footway shall during the construction of the said arching be preserved for the passage of carriages and traffic along John William Street. The part of the said street stopped or taken for the works shall be effectually hoarded off from the part left available for the traffic. The lines, height, and character of the hoardings shall be determined by the borough surveyor, and no placards or handbills shall be permitted by the Company to be affixed thereto.

For protection of Liverpool Gas Company.

26. The following provisions for the protection of the Liverpool United Gaslight Company (herein-after called "the Liverpool Gas Company") shall be observed and have effect:

- (1.) Before removing or displacing any main, pipe, plug, or other work of the Liverpool Gas Company, or doing anything which may cause any impediment to the passage of gas through any of the said mains or pipes, the Company shall, at their own expense, in all things, provide and lay in lieu thereof and ready for use good and sufficient mains, pipes, plugs, and other works proper and sufficient for continuing the supply of gas as sufficiently and satisfactorily as the same was supplied by the mains or pipes proposed to be removed or displaced, and all such mains, pipes, and other works shall be laid and done under the superintendence and control and to the reasonable satisfaction of the Liverpool Gas Company's engineer, and in such places, position, and manner in all respects as he shall require and approve; and all such substituted mains, pipes, and other works shall belong to and be and become the absolute property of the Liverpool Gas Company; and the engineer and other officers, servants, and workmen of

the Liverpool Gas Company shall at all times have and be entitled to free access to such of the said mains, pipes, and other works as may be on the premises of the Company, for the purpose of examining, repairing, altering, or removing the same, or for any other lawful purpose. A.D. 1879.

(2.) The Company shall make good all damage which may be done to any mains, pipes, works, or other property of the Liverpool Gas Company, and shall save them harmless from all expenses, loss, or damage to be occasioned by or by reason of the works authorised by this Act, and shall make full compensation to the Liverpool Gas Company and to all other persons for any loss or damage which they respectively may sustain by reason of any interference with or disturbance of the said mains, pipes, or other works, or with the private service pipes of any person or persons supplied with gas by the Liverpool Gas Company :

(3.) The Company shall not remove or interfere with any main, pipe, or other work of the Liverpool Gas Company until they shall have given to the last-mentioned Company's engineer fourteen days previous notice in writing of their intention so to do, specifying all necessary particulars relating thereto, nor until the Liverpool Gas Company shall have signified their approval of the same, unless they do not signify such approval or their disapproval or other directions within fourteen days after service of the said notice and particulars; and the Company shall comply with and conform to all reasonable requirements, directions, and regulations of the Liverpool Gas Company in the execution of the said works, and shall provide, in such manner as the Liverpool Gas Company shall reasonably require, for the protection of and prevention of injury or impediment to the mains, pipes, and other works of the Liverpool Gas Company.

27. Nothing in this Act contained shall prejudice or affect the rights and powers of the Midland Railway Company under an agreement dated the ninth day of March one thousand eight hundred and seventy-eight, scheduled to and confirmed by the London and North-western Railway (Wortley to Leeds, &c.) Act, 1878. Saving rights of Midland Railway Company.

28. The powers of this Act for the compulsory purchase of lands by the Company and the Lancashire and Yorkshire Railway Com- Period for compulsory purchase of lands by Company

A.D. 1879.

and Lan-
cashire and
Yorkshire
Company.
Power to
Company
and Furness
Company to
acquire lands,
&c.

pany shall not be exercised after the expiration of three years from the passing of this Act.

29. The Company and the Furness Railway Company jointly, or one of them with the consent of the other, may enter upon, take, and use, and hold and appropriate to the general purposes of their Whitehaven, Cleator, and Egremont Railway, the lands, houses, and buildings delineated on the deposited plans relating thereto, and described in the deposited books of reference relating thereto, and may execute the works and exercise the powers herein-after mentioned; (that is to say,)

(Low
Keekle.)

They may acquire certain lands, houses, and buildings partly in the parishes of Egremont and Cleator, and partly in the extra-parochial place of Low Keekle, all in the county of Cumberland, lying north and west of, and adjoining the main passenger line of the Whitehaven, Cleator, and Egremont Railway, and extending from a point two hundred yards or thereabouts east of the bridge which carries the public road from Low-Moorrow to Scalegill Hall over that railway to a point four hundred yards or thereabouts north of the bridge which carries the said railway over the River Keekle:

Provided always, that, notwithstanding anything in this Act contained to the contrary, the Company and the Furness Railway Company jointly shall not, nor shall either of them separately, enter upon, take, or use the lands or any part of the lands lying north-west of the before-mentioned passenger line already acquired by the Cleator and Workington Junction Railway Company, or which that company shall acquire under the compulsory powers of the Cleator and Workington Junction Railway Act, 1876, save and except with the previous consent in writing of the said Cleator and Workington Junction Railway Company under their common seal; and

39 & 40 Vict.
c. li.

(Woodend
Station.)

Certain other lands, houses, and buildings in the said parish of Egremont lying on both sides of and adjoining the Egremont branch of the said railway, and at and near the occupation bridge under that branch two hundred yards or thereabouts south of the Woodend Station; and

They may stop up and remove the said bridge, and may make in lieu thereof another bridge under the said branch railway fifteen yards or thereabouts to the north of the existing bridge:

(Egremont
Station.)

They may acquire certain other lands, houses, and buildings in the said parish of Egremont lying on the east side of and

adjoining the said Egremont branch at the Egremont Station thereon ;

And certain other lands in the said parish of Egremont lying on the west side of and adjoining the said Egremont branch, and eight hundred and thirty yards or thereabouts north of the Egremont Station thereon.

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(Gillfoot lands.)

30. The powers of this Act for the compulsory purchase of lands by the Company and the Furness Railway Company shall not be exercised after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands by Company and Furness Company.

31. And whereas, in the exercise by the Company and the Furness Railway Company of the powers of this Act, it may happen that portions only of the lands, buildings, or manufactories shown on the deposited plans will be sufficient for their purposes, and that such portions may be severed from the remainder of the said properties without material detriment thereto :

Owners may be required to sell to Company and Furness Company parts only of certain lands and buildings.

Therefore, notwithstanding section ninety-two of the Lands Clauses Consolidation Act, 1845, the owners of and persons interested in the lands, buildings, or manufactories described in the Second Schedule to this Act, and whereof parts only are required for the purposes of the Company and the Furness Railway Company, may (if such portions can, in the judgment of the jury, arbitrator, or other authority assessing or determining the compensation under that Act, be severed from the remainder of the said properties without material detriment thereto) be required to sell and convey to the Company and the Furness Railway Company the portions only of the premises so required, without those companies being obliged or compellable to purchase the whole or any greater portion thereof, those companies paying for the portions required by them, and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

32. The Company or any other company exercising any of the powers of this Act, either alone or jointly with the Company, may, in constructing the new roads, streets, and footpaths, and alterations of roads, streets, and footpaths, by this Act authorised to be constructed by them respectively, deviate the same to the extent of the limits of deviation marked on the deposited plans relating thereto, and may deviate from the levels shown on the deposited sections relating thereto to any extent not exceeding five feet, but not so as to increase the rate of inclination as shown on those sections.

Power to deviate in construction of new roads, &c.

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A.D. 1879.

Provision as
to repair of
new roads,
&c.

33. Save and except the new road or street called the Victoria Street Station Approach, and also the diverted occupation road in the township of Kenyon, numbered 13 on the deposited plans, which shall from time to time and in perpetuity be repaired and maintained by and belong to the Company as part of their undertaking, the new roads, streets, and footpaths, and the alterations or deviations of roads, streets, and footpaths, to be made under the authority of this Act (except the stone, iron, or other structure carrying any new road, street, or footpath, or any alteration or deviation of any road, street, or footpath, over any railway, which structure shall be repaired and maintained by and at the expense of the company or companies exercising the powers of this Act as aforesaid) 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, streets, and footpaths within the townships or parishes respectively in which such new or altered roads, streets, and footpaths will be situate are from time to time liable to be repaired or maintained.

If any question shall arise between the company or companies exercising the powers of this Act as aforesaid and any of such parties as to the due completion of any new road, street, or footpath, or alteration or deviation of any road, street, or footpath, 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, street, or footpath, or alteration or deviation of any road, street, or footpath, shall be conclusive evidence of the fact so certified.

Extinguishment of
rights of
way.

34. All rights of way over or along the several roads, streets, footpaths, courts, passages, thoroughfares, or highways, or portions thereof, which shall under the provisions of this Act be stopped up and discontinued, and over any of the lands which shall be purchased or acquired under the compulsory powers of this Act, shall be and the same are, as from the stopping up, purchase, or acquisition thereof respectively, by this Act extinguished.

Vesting of
site and soil
of portions
of roads, &c.
stopped up.

35. The site and soil of the several roads, streets, footpaths, courts, passages, thoroughfares, or highways, or portions thereof, by this Act authorised to be stopped up and discontinued, and the fee simple and inheritance thereof, shall (except where by this Act otherwise provided), if any company or companies exercising the

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powers of this Act relative thereto are, or if and when under the powers of this Act or of any other Act relating to such company or companies already passed they become, the owners of the lands on both sides thereof, be from the time of the stopping up thereof respectively wholly and absolutely vested in such company or companies.

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36. Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant to any company or companies exercising the powers of this Act relative thereto any easement, right, or privilege (not being an easement of water), required for the purposes of this Act, in, over, or affecting lands, and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, easements, rights, and privileges as aforesaid respectively.

Power to take easements by agreement.

37. 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.

38. The Company and the Great Western Railway Company jointly, or the last-named company alone, may, in respect of their respective interests in the Wrexham and Minera Railway, notwithstanding anything to the contrary in the Lands Clauses Consolidation Act, 1845, or any Act relating to the Wrexham and Minera Railway with which that Act is incorporated, retain and hold any lands acquired for the purposes of the said railway which

Extending time for sale of certain superfluous lands acquired for purposes of Wrexham and Minera Railway.

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A.D. 1879. have not yet been applied to those purposes or sold or disposed of for the periods following; (that is to say,) as regards such of the lands as are situate near to or adjoining any railway or station of the Company and the Great Western Railway Company, or as the two companies may be of opinion that they may require for the purposes of stations, sidings, or other conveniences, for the period of ten years from the passing of this Act, and as regards the other of the said lands, for the period of two years from the passing of this Act.

But the two companies shall, at the expiration of such respective periods of ten years and two years, sell and dispose of all parts of such lands which shall not then have been applied to and are not then required for the purposes of the said railway as superfluous lands.

Providing for discontinuance of portion of Lancaster Canal Tramway.

39. The Company may, with the consent of the Lancashire and Yorkshire Railway Company, discontinue the use by the public of so much of the tramway, lands, and works connected therewith of the Lancaster Canal Company as extends from the south-east side of the turnpike road between Preston and Chorley to the termination of the said tramway at Walton Summit, and with the like consent may stop up that portion of the said tramway, lands, and works, and sell, lease, exchange, or otherwise dispose of the same or any part thereof for the joint benefit of the Company and the Lancashire and Yorkshire Railway Company as joint owners of the North Union Railway.

Dissolution of companies merged in undertaking of Company.

40. The following railway companies respectively; (that is to say,)

The Buckinghamshire Railway Company;

The Bedford Railway Company;

The Chester and Holyhead Railway Company;

The Lancaster and Carlisle Railway Company; and

The Kendal and Windermere Railway Company,

shall be and are by this Act dissolved.

All the works, lands, property, estate, effects, rights, powers, and privileges of those companies respectively, so far as the same are not already vested in or possessed by the Company, are hereby transferred to and vested in the Company, but subject to all their respective contracts, obligations, restrictions, debts, and liabilities, and the manner of enforcing the same.

The Company may and shall exercise, fulfil, and discharge, in their own name and under their own seal, and in the names and under the hands of their directors, officers, and servants, all the rights, powers, privileges, contracts, obligations, restrictions, debts,

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and liabilities of those companies respectively, whether with reference to the acquisition of lands, the construction and maintenance of works, the raising and borrowing of money, the levying of tolls, rates, and charges, or otherwise, in like manner as those rights, powers, privileges, contracts, obligations, restrictions, debts, and liabilities might but for the passing of this Act have been exercised, fulfilled, and discharged by the said companies respectively.

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41. The Company may from time to time purchase by agreement, or take on lease or otherwise provide, and may establish and hold, booking and receiving offices and other premises for the collection, reception, and booking of goods, parcels, and other matters and things delivered to them for the purpose of being carried upon or over their railway, and may collect, receive, book, and invoice any such goods, parcels, and other matters and things;

Powers to
Company as
to collection
and delivery
of goods.

And the Company may make and carry into effect contracts or agreements with any other railway company or companies with regard to the collection, reception, booking, or invoicing of any goods, parcels, and other matters and things intended to be carried upon or over the railways of the respective companies so contracting, or any or either of them.

Provided always, that with reference to any of such contracts or agreements, no company shall give any undue preference to themselves or to any other company or to any person.

The provisions of section 17 of the Regulation of Railways Act, 1868, shall extend to any application in writing made to the Company by any person interested in the carriage of the goods in respect of which such application is made, whether such goods have been or are intended to be carried on the railway; and in any account rendered by the Company under the last-mentioned Act or this section, any charge made for terminal services shall be so stated as to distinguish the proportions thereof due to collection and delivery respectively.

31 & 32 Vict.
c. 119.

If the Company shall fail to comply with the provisions of this section, they shall be liable to the same penalties as are incurred upon a failure to comply with the provisions of section 14 of the Railway and Canal Traffic Act, 1873.

36 & 37 Vict.
c. 48.

Nothing in this section shall be deemed to extend the privilege to which the Company is entitled under the Telegraph Act, 1868, or any agreement made in pursuance thereof, of having messages of the Company in any way relating to the business of the Company transmitted by Her Majesty's Postmaster General free of charge, nor to prejudice any right of the Company or of the Postmaster General in respect of such privilege.

31 & 32 Vict.
c. 110.

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A.D. 1879.
Consolidation of preference stock of the Company.

42. Any stock which, under the authority of any Act passed in or before the session of Parliament held in the fortieth and forty-first years of Her present Majesty, the Company shall create as four per centum preference stock shall when created form part of and rank *pari passu* with the consolidated four per centum preference stock of the Company as fully and effectually as if the same had been comprised in the scheme for the consolidation of the shares and stocks of the Company which has been carried into effect under the provisions of the *London and North-western Railway (Joint and Various Powers) Act, 1877*: Provided always, that any increase in the amount of the said consolidated four per centum preference stock which may be made under the authority of this section shall not in any other respect prejudice or affect the said scheme, but the said scheme shall, notwithstanding such increase, be deemed to have been prepared and carried into effect in all respects in accordance with the provisions of the said Acts.

Power to Company to raise additional money by creation of shares or stock.

43. The Company from time to time may raise for the purposes of this Act and for the general purposes of their undertaking, by the creation and issue of shares or stock, such capital as they shall think necessary, not exceeding four hundred and fifty 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 stock, as they may think fit.

Shares not to be issued until one-fifth part thereof shall have been paid up.

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

45. 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.

Dividends on new shares or stock.

46. 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

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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.

A.D. 1879.

47. 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.

48. 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 Acts of past or present sessions may be of same class.

49. 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 clause in case of persons not sui juris.

50. The Company may, in respect of the additional capital of four hundred and fifty thousand pounds which they are by this Act authorised to raise, from time to time borrow on mortgage any sum not exceeding in the whole one hundred and fifty thousand pounds, and of that sum they may borrow fifty thousand pounds in respect of each sum of one hundred and fifty thousand pounds of such additional capital ; but no part of any such sum of fifty thousand pounds shall be borrowed until shares for so much of the respective portion of capital in respect of which it is authorised to be borrowed 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

Power to borrow on mortgage.

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(*Additional Powers*) Act, 1879.

A.D. 1879. justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that shares for the whole of the respective portion of 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 has been paid on account thereof, before or at the time of the issue or acceptance thereof and until stock for one half of so much of such respective portion of 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 respective portion of 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.

For ap-
pointment of
a receiver.

51. 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.

Company
may create
debenture
stock.

52. 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. A.D. 1879.

53. 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.

54. All moneys raised under this Act, whether by shares, stock, debenture stock, or borrowing, shall be applied only to the purposes of this Act and the general purposes of the Company. Application of moneys.

55. 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 Act 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 apply corporate funds to purposes of Act.

56. The Lancashire and Yorkshire Railway Company from time to time may, for the purposes of this Act to be carried into effect by them and for other purposes connected with the North Union Railway and with their railways and stations at Huddersfield and Hillhouse, raise, by the creation and issue of shares or stock, such sums of money as they shall think necessary, not exceeding one hundred thousand pounds, exclusive of the moneys which they are or may be authorised to raise by any other Act or Acts of Parliament, and that company may create and issue such shares or stock either wholly or partly as ordinary or wholly or partly as preferential shares or stock, as they may think fit. Power to Lancashire and Yorkshire Company to raise additional capital.

57. The Lancashire and Yorkshire Railway Company shall not issue any share created under the authority of this Act, nor shall any such 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. Shares of Lancashire and Yorkshire Company not to be issued until one-fifth part thereof shall have been paid up.

58. Except as by or under the powers of this Act otherwise provided, the new shares or stock issued by the Lancashire and Yorkshire Railway Company under the powers of this Act shall, in proportion to the aggregate amount thereof from time to time held by the same person at the same time, entitle the respective Qualifications of new shares or stock of Lancashire and Yorkshire Company.

[Ch. cxlii.] *London and North-western Railway* [42 & 43 VICT.]
(*Additional Powers*) Act, 1879.

A.D. 1879. holders thereof to the same dividends and profits, and confer on them the like qualifications and the like right of voting, as the like amount of existing ordinary shares or stock of that company.

Power to Lancashire and Yorkshire Company to raise capital under any other Act of this session and this Act by new shares or stock of one class.

59. Subject to the provisions of any Act already passed by which the Lancashire and Yorkshire Railway 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 that company may be authorised to raise capital by new shares or stock, they 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.

Power to Lancashire and Yorkshire Company to borrow on mortgage.

60. The Lancashire and Yorkshire Railway Company may from time to time borrow on mortgage additional sums not exceeding in the whole thirty-three thousand pounds in respect of the additional capital of one hundred thousand pounds which they are by this Act authorised to raise; but no part of such sum of thirty-three thousand pounds shall be borrowed until shares for so much of the said sum of one hundred thousand pounds as is to be raised by means of shares are issued and accepted, and one half thereof is paid up, and the Lancashire and Yorkshire Railway Company have proved to the justice who is to certify under the 40th 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 so much of the said additional capital as is to be raised by means of stock is fully paid up, and the Lancashire and Yorkshire Railway 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, successors, or assigns, and also, so far as the said capital is raised by shares, that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Lancashire and Yorkshire Railway Company, and of such other evidence as he shall think sufficient, he shall grant a certificate

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that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof. A.D. 1879.

61. The mortgages and bonds granted by the Lancashire and Yorkshire Railway Company in pursuance of the powers of any Act of Parliament before the passing of this Act, and subsisting at the time of the passing of this Act, shall, during the continuance of such mortgages and bonds, but subject to the provisions of the Acts under which such mortgages and 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 Lancashire and Yorkshire Railway Company. Former mortgages and bonds of Lancashire and Yorkshire Company to have priority.

62. The Lancashire and Yorkshire Railway 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 that Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by that Company, and shall have priority over all principal moneys secured by such mortgages. Power to Lancashire and Yorkshire Company to create debenture stock.

63. If any money is payable to a holder of shares or stock in the Lancashire and Yorkshire Railway Company being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to that Company. Receipt clause for Lancashire and Yorkshire Company in case of persons not *sui juris*.

64. All moneys raised by the Lancashire and Yorkshire Railway Company under this Act, whether by shares, stock, debenture stock, or borrowing, shall be applied only to the purposes of this Act to be executed by them, and to purposes connected with the North Union Railway and their railways and stations at Huddersfield and Hillhouse. Application of moneys raised by Lancashire and Yorkshire Company.

65. The Lancashire and Yorkshire Railway Company may apply to those purposes any of the moneys which they now have in their hands, or which they have power to raise by virtue of any Acts relating to that company, and which may not be required for the purposes to which they are by any such Acts made specially applicable. Power to Lancashire and Yorkshire Company to apply corporate funds.

66. The Great Western Railway 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, Power to Great Western Company to apply corporate funds.

[Ch. cxlii.] *London and North-western Railway* [42 & 43 VICT.]
(*Additional Powers*) Act, 1879.

A.D. 1879. 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
Furness
Company to
apply cor-
porate funds.

67. The Furness Railway 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 passed in this or in any previous session of Parliament made applicable to any special purpose, or which being so made applicable are not required for the special purpose.

Interest not
to be paid on
calls paid up.

68. The Company and the Lancashire and Yorkshire Railway Company respectively shall not, out of any moneys 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 said companies respectively 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.

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

69. The Company and the Lancashire and Yorkshire Railway Company respectively 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 those companies respectively to construct any other railway, or to execute any other work or undertaking.

Saving rights
of the Crown
in the fore-
shore.

70. Nothing contained in this Act shall authorise the Company to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or of any river, channel, creek, bay, or estuary, or any right in respect thereof, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Board of Trade, without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give); neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

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(*Additional Powers*) Act, 1879.

71. Whereas all lands to the seaward of the lands by this Act authorised to be reclaimed now are below the line of ordinary high-water mark : Therefore, if any land to the seaward of the lands by this Act authorised to be embanked or reclaimed shall at any time after the execution of any works under the authority of this Act become raised in height or reclaimed, whether gradually or imperceptibly or otherwise, so as to be above instead of below such line of ordinary high-water mark, the Company shall not by virtue of the ownership of any lands which they are by this Act empowered to reclaim have any estate, right, or interest in or to the lands so raised in height or reclaimed by reason that such raising or reclamation had been gradual or imperceptible, or has been either wholly or partially caused by the works by this Act authorised or otherwise, but the right and title to the soil and freehold of such land when so raised or reclaimed shall continue vested in the Queen's Majesty, or such other corporation or person or persons as is or are at the time of the passing of this Act entitled to the same, and as if the same had continued as the same now is, subject to the flow and re-flow of the ordinary tides.

A.D. 1879.
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Saving of
rights as to
future accre-
tions.

72. Nothing in this Act contained shall exempt the Company, the Great Western, the Lancashire and Yorkshire, and the Furness Railway Companies respectively, or their respective 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 said companies respectively.

Provision as
to general
Railway
Acts.

73. 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.

Expenses of
Act.

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SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

Describing LANDS, BUILDINGS, and MANUFACTORIES of which
 Portions only are required by the Company.

Parish.	Numbers on deposited Plans.
Huddersfield - - - - -	16, 254, 255.
Little Bowden - - - - -	1.
Childwall - - - - -	26.
Prescot - - - - -	43, 44, 45, 46, 60, 65, 67.

SECOND SCHEDULE.

Describing LANDS, BUILDINGS, and MANUFACTORIES of which
 Portions only are required by the Company and the Furness
 Railway Company.

Parish.	Numbers on deposited Plans.
Egremont - - - - -	19, 21.

THIRD SCHEDULE.

A.D. 1879.

SUPERFLUOUS LANDS OF THE COMPANY.

County.	Parish.
West riding of York - - -	Leeds. Thornton-in-Lonsdale.
Lancaster - - - - -	Huyton. Bolton-le-Sands. Tunstall. Lancaster Dean.
Westmorland - - - - -	Kendal. Kirkby Lonsdale.
Brecknock - - - - -	Llangynider.
Anglesey - - - - -	Holyhead.
Monmouth - - - - -	Abergavenny. Mynyddysllwyn. Bedwelty. Machen.
Chester - - - - -	Weaverham. Great Budworth Warmingham. Stockport.
Cumberland - - - - -	Dean. St. Bees. Egremont. Cleator. Arlecdon. Lamplugh. Brigham, Workington.

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