



## CHAPTER xcvi.

An Act to confer further powers upon the Great Northern Railway Company with respect to their own Undertaking and Undertakings in which they are jointly interested and for other purposes. A.D. 1893.  
[29th June 1893.]

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

To make and maintain the railways and works herein-after described; General purposes of Act.

To abolish certain level crossings of their railways and otherwise to deal with certain roads and footpaths connected with their undertaking; and

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

And whereas by the Great Northern Railway Act 1892 (herein-after referred to as "the Act of 1892") the Company were authorised to construct (amongst others) certain railways in that Act called "Extensions of Leen Valley Railway" and it is expedient that the Company be authorised to abandon certain portions of such railways: 55 Vict. c. cxxi.

And whereas it is expedient that the Company be authorised to hold maintain and manage as part of their undertaking the Victoria Hotel and Refreshment Rooms adjoining the station of the Company at Bradford in the west riding of Yorkshire:

And whereas it is expedient that the West Riding Railway Committee constituted under the powers of the West Riding and Grimsby Railway (Transfer) Act 1866 and consisting of representatives of the Company and of the Manchester Sheffield and Lincolnshire Railway Company (in this Act called "the Sheffield Company") should be enabled to acquire certain lands in the parish of Crofton in the west riding of Yorkshire and that in connexion with such acquisition the said West Riding Railway West Riding Railway Committee. 29 Vict. c. clxii.

A.D. 1893. Committee and the Sheffield Company should be authorised to apply their existing funds :

53 & 54 Vict.  
c. cliii.

And whereas it is expedient to repeal section 18 ("As to voting") of the Great Northern Railway (Capital) Act 1890 and to make other provisions in lieu thereof :

52 & 53 Vict.  
c. xxxix.

And whereas by the Midland Railway Act 1889 certain railways of the Eastern and Midland Railway Company (called in that Act "the western sections") and which comprised among other railways the Bourn and Lynn Railway were vested in the Company and the Midland Railway Company (herein-after referred to as "the two Companies") jointly for their joint use and benefit and it is expedient that the two Companies be authorised to widen and improve certain portions of the said railway and in connexion therewith to apply their existing funds :

Superfluous  
lands.

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

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

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

And whereas the objects of this Act cannot be attained 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 :—

Short title.

1. This Act may be cited as the Great Northern Railway Act 1893.

2. The Lands Clauses Acts the Railways Clauses Consolidation Act 1845 and Part I. (Construction of a railway) of the Railways Clauses Act 1863 are (except where the same are expressly varied by this Act) incorporated with and form part of this Act.

A.D. 1893.

Incorporation of  
general  
Acts.

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

Interpreta-  
tion.

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

“Parish clerks” and “clerks of the several parishes” in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall with reference to the Company and as regards the parish of Saint Mary Islington mean the vestry clerk of the said parish :

And for the purposes of this Act the expression “superior courts” or “court of competent jurisdiction” or any other like expression in this Act or any Act wholly or partly incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt and not a debt or demand created by statute.

4. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the new railways and works hereinafter described with all proper stations sidings approaches works and conveniences connected therewith respectively and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes and may in the manner shown on the deposited plans divert such streets roads and footpaths as are shown thereon as intended to be diverted.

Power to  
make rail-  
ways &c.

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

RAILWAYS IN NOTTINGHAMSHIRE.—A railway (No. 1) 2 miles 1 furlong 6 chains in length wholly in the county of Nottingham commencing in the township of Kirkby-in-Ashfield in the parish of Kirkby-in-Ashfield by a junction with the railway of the Sheffield Company at the bridge carrying Lindley Lane over the said railway and terminating in the township of Sutton-in-Ashfield in the parish of Sutton-in-Ashfield by a junction with the Extensions of Leen Valley Railway (Railway No. 1) authorised by the Act of 1892 at a point on the last-mentioned railway about 28 yards measured in a southerly

A.D. 1893.

direction along the centre line of that railway (as shown on the plans deposited in the month of November 1891 with the clerk of the peace for Nottinghamshire for the purposes of the application for the Act of 1892) from the point where it crosses the Sutton-in-Ashfield Branch of the Midland Railway Company ;

A railway (No. 2) 5 furlongs 1 chain in length wholly in the said township and parish of Kirkby-in-Ashfield commencing by a junction with Railway No. 1 at a point about 145 yards measured in a south-westerly direction from the Railway Inn and terminating by a junction with the railway of the Sheffield Company at a point on that railway about 450 yards measured in a westerly direction from the point where it crosses the branch railway of the Midland Railway Company from Pye Bridge to Mansfield ;

A railway (No. 3) 2 furlongs 7 chains in length wholly in the said township and parish of Kirkby-in-Ashfield commencing by a junction with Railway No. 1 at a point about 49 yards north-east of the field numbered 275 on the  $\frac{1}{2500}$  Ordnance map of that parish and terminating in the field numbered 358 on the aforesaid map ;

A railway (No. 4) 2 furlongs 8 chains in length wholly in the said township and parish of Kirkby-in-Ashfield commencing by a junction with Railway No. 1 at a point about 49 yards north-east of the field numbered 275 on the  $\frac{1}{2500}$  Ordnance map of that parish and terminating near the Kirkby Colliery sidings for full waggons :

Provided that the Company shall not except by agreement enter upon take or use any lands not being public roads or highways or railways required for the purposes of Railways No. 3 and No. 4 respectively.

Railways to  
form part of  
Great  
Northern  
Railway.

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

Company  
may abandon  
construction  
of certain  
railways  
authorised  
by Act of  
1892.

6. The Company may abandon the construction of the following portions of the Extensions of Leen Valley Railway authorised by the Act of 1892 (that is to say) :—

The portion of Railway No. 1 by that Act authorised between the commencement thereof and the point herein-before described as the termination of Railway No. 1 by this Act authorised ; and  
The railways numbered 5 and 5A authorised by the Act of 1892.

7. The abandonment by the Company under the authority of this Act of any portion of any railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation 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 railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Act of 1892.

A.D. 1893.  
Compensation for damage to land by entry &c. for purposes of railways abandoned.

8. 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 any of the railways authorised to be abandoned by this Act the Company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Compensation to be made in respect of railways abandoned.

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

Period for completion of railways.

10. If the Company fail to complete the railways which they are herein-before authorised to construct within the period limited by this Act the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway in the completion of which default is made is completed and opened for the public conveyance of traffic in the case of the railways Nos. 3 and 4 and for the public conveyance of passengers in the case of the other railways or until the sum received in respect of such penalty shall amount to five per centum on the

Penalty unless railways are opened within the time limited.

A.D. 1893.

estimated cost of such railway and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the Bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening such railway by unforeseen accident or circumstances beyond their control or was prevented by the want of compulsory powers from making the said railways or any of them without incurring unreasonable delay inconvenience or expense Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application  
of penalty.

11. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recoverable by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent or the railways or railway in respect of which the penalty shall have been incurred have or has been abandoned be paid to such receiver or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid to the Company.

12. The powers of this Act with respect to the purchase and acquisition of lands otherwise than by agreement for the purposes of the Railway No. 1 hereby authorised and with respect to the making and maintaining of that railway shall unless with the previous consent of the Midland Railway Company (herein-after called "the Midland Company") in writing under their common seal be exercised only subject to and in accordance with the following provisions :—

A.D. 1893.

For pro-  
tection of the  
Midland  
Railway  
Company.

- (1.) The Company shall not without in every case the previous consent of the Midland Company in writing under their common seal take use enter upon or interfere with any land railway siding or other work from time to time belonging to or worked by that company except only so far as shall be necessary for the purpose of making and maintaining the said railway as the same is according to this Act to be constructed ;
- (2.) With respect to any land of the Midland Company which the Company is by this Act authorised to use enter upon or interfere with the Company shall not purchase or take the same but the Company may purchase and take and the Midland Company may and shall sell and grant accordingly an easement or right of using the same for the purposes for which but for this enactment the Company might purchase and take the same ;
- (3.) The crossing of the railway over the Midland Company's railway and branches shall be effected at such points within the limits of deviation shown on the deposited plans and in such manner and according to such mode of construction as shall be reasonably approved of by the principal engineer for the time being of the Midland Company or in case of difference as shall be determined by arbitration as herein-after provided ;
- (4.) The bridge carrying Railway No. 1 over the Midland Company's Kirkby Curve shall be constructed of a clear span of 28 feet measured on the square with a clear headway throughout of 14 feet 6 inches The Company shall also construct a bridge to carry the said Railway No. 1 over the Midland Company's Pye Bridge and Mansfield Line such bridge to be of a clear span of 28 feet with a clear headway throughout of 14 feet 6 inches ;
- (5.) The said Railway No. 1 where the same will be made upon or across or will otherwise interfere with any railway siding or other work belonging to or worked by the Midland Com-

A.D. 1893.  
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pany shall subject to the foregoing provisions of this enactment be constructed according to plans sections and specifications to be previously approved by the principal engineer for the time being of the Midland Company who shall report thereon within one month after the same shall have been submitted to him and any difference thereon between him and the principal engineer for the time being of the Company shall (subject as aforesaid) be determined by arbitration in manner herein-after provided. If the said engineer of the Midland Company fail to make such report within such period the Company may construct their said Railway No. 1 in accordance with the plans sections and specifications so submitted;

- (6.) The Company shall take all reasonable precautions in the execution of their works to prevent any interference with the free uninterrupted and safe use in the ordinary manner and at the ordinary rate of speed of any railway siding or other work belonging to the Midland Company;
- (7.) The Company shall bear and on demand pay to the Midland Company the expense of the employment by that company during the execution of any work affecting any railway siding or other work of that company of a sufficient number of inspectors watchmen and signalmen to be appointed by that company for watching and signalling the same with reference to and during the execution of any such work of the Company and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Company or their contractors or any person in the employ of the Company or of their contractors with reference thereto or otherwise;
- (8.) If by reason of the execution of any of the works or any proceedings of the Company or the failure of any such works or any act or omission of the Company or of their contractors or of any person in the employ of the Company or of their contractors any railway siding or other work of the Midland Company shall be injured or damaged such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their failing so to do then the Midland Company may make good the same and recover the reasonable expense thereof with full costs against the Company in any court of competent jurisdiction. And if any interruption shall be occasioned to the traffic of or upon any such railway siding or other work of the Midland Company



A.D. 1893.

by reason of any of the matters or causes aforesaid the Company shall pay to the Midland Company all costs and expenses to which that company may be put as well as full compensation to be recoverable with full costs by that company from the Company in any court of competent jurisdiction ;

(9.) The Company shall at all times maintain the bridges arches openings or other works by which their railway is carried over the railways sidings or other works of the Midland Company in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer of that company And if and whenever the Company fail so to do the Midland Company may make and do in and upon as well the lands of the Company as their own lands all such works and things as that company reasonably think requisite in that behalf and the sum from time to time certified by their engineer to be and being in fact the reasonable amount of such their expenditure shall be repaid to them by the Company and in default of full repayment may be recovered with full costs by the Midland Company from the Company in any court of competent jurisdiction ;

(10.) If in the opinion of the Midland Company or in case of difference between them and the Company of an arbitrator to be appointed as herein-after provided it shall be necessary for the Midland Company to purchase or pay compensation for any minerals required to be left unworked for the protection and safety of any works constructed under the powers of this Act or for any additional minerals beyond those which but for this Act would have been required to be so left unworked then the Company shall on demand pay to the Midland Company all costs and expenses incurred by them in relation to any such purchase or payment of compensation and the amount of such costs and expenses or as the case may be the amount of the additional costs and expenses shall in case of difference be determined by arbitration as herein-after provided ;

(11.) If the Midland Company shall at any time hereafter be desirous for the purpose of forming branches or sidings to any existing or intended collieries works or manufactories of constructing bridges under or over the said railways by this Act authorised the Company shall afford to but at the cost of the Midland Company all reasonable and proper facilities for the construction of such bridges according to plans to be agreed

A.D. 1893.

between the principal engineers of the two Companies for the time being or in case of difference to be determined by arbitration as herein-after provided ;

(12.) If any difference shall arise between the Company and the Midland Company as to the true intent and meaning of this enactment or the mode of giving effect thereto the same shall be from time to time determined by arbitration in the manner prescribed by the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration.

Powers to  
London and  
North  
Western  
Railway  
Company.

**13.** The London and North Western Railway Company may have and exercise over the railways by this Act authorised the same powers and privileges as are conferred on that company by the 28th section of the Great Northern and London and North Western Railway Companies (Joint Powers and New Lines) Act 1874 with respect to the portions of the Great Northern Railway specified in the said section but subject to the terms conditions and restrictions mentioned in sections 29 30 31 32 33 and 34 of the same Act.

Running  
powers to the  
Manchester  
Sheffield and  
Lincolnshire  
Railway  
Company.

**14.** The Manchester Sheffield and Lincolnshire Railway Company may have and exercise over Railways Nos. 1 2 3 and 4 in the county of Nottingham authorised by this Act the same powers and privileges as are conferred on that company by the 10th section of the Great Northern Railway Act 1892.

WIDENING  
OF RAILWAY.  
Power to  
Company  
and Midland  
Company to  
widen por-  
tions of the  
Bourn and  
Lynn Joint  
Railway.

**15.** Subject to the provisions of this Act the Company and the Midland Railway Company or either of them with the consent of the other may in the parts of Holland and Kesteven in Lincolnshire in the lines according to the levels and in the manner shown on the deposited plans and sections widen and improve the portions of the Bourn and Lynn Railway herein-after mentioned and lay down additional lines of railway thereon or in connexion therewith And for the purposes of such widening and improvement the Company (in addition to any other lands which they are by this Act authorised to acquire) and the Midland Company or either of them with the consent of the other 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 the purposes aforesaid and the said widenings and improvements respectively and the said altered railway shall for the purposes of tolls rates and charges and in all other respects be part of the said Bourn and Lynn Railway.

The portions of railway herein-before referred to and authorised to be widened and improved by this Act are— A.D. 1893.

- (1.) So much of the Bourn and Lynn Joint Railway in the parish of Spalding in the said parts of Holland as lies between a point about 120 yards west of the level crossing known as Cuckoo Crossing and a point about 120 yards measured in a south-westerly direction from the engine shed in Spalding Station yard ;
- (2.) So much of the Bourn and Lynn Joint Railway on the north side thereof in the parish of Bourn in the said parts of Kesteven as lies between a point about 9 chains measured in an easterly direction along that railway from the east side of the public road leading from Bourn to Market Deeping and a point about 3 chains east of the goods shed at Twenty Station.

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

ROADS AND  
FOOTPATHS.  
Further  
works by  
the Com-  
pany.

**DIVERSION OF ROAD AT HORNSEY.**—The Company may in the parish of Tottenham in the county of Middlesex divert a portion of Western Road situated near the north side of the Hornsey Gasworks such diversion to commence at a point about thirty-three yards west of the north-west corner of those works and to terminate opposite to the southernmost house in Western Road :

**STOPPING UP BRIDLE PATH AT BIGGLESWADE.**—The Company may in the parish of Biggleswade in the county of Bedford stop up and discontinue as a public highway so much of the bridle road crossing the main line of railway of the Company near the south signal box at the Biggleswade Station as lies between a point about fifty yards east of the eastern boundary of the station yard along the said bridle road and a point where the said bridle road crosses the western boundary of the said station yard :

A.D. 1893.  
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**STOPPING UP OF FOOTPATH AT COLWICK.**—The Company may in the township of Gedling in the parish of Gedling in the county of Nottingham stop up and discontinue as a public highway the footpath leading from the south-eastern fence of the new road to Ouse Bridge on the public road leading from Carlton to Burton Joyce:

**DIVERSION OF ROAD AT DONCASTER.**—The Company may in the township of Balby-with-Hexthorpe in the parish of Doncaster in the west riding of the county of York construct a diversion of the public road known as Decoy Bank such diversion commencing at a point about fifty yards west of the disused entrance to Decoy Wood and terminating at the junction of the said road with Black Bank and when the said diversion is completed and opened to the public the Company may extinguish all rights of way over so much of the said road as lies between the commencement and termination of the said diversion:

**EXTENSION OF BRIDGE AT LOFTHOUSE.**—The Company may in the township of Stanley-cum-Wrenthorpe in the parish of Wakefield in the said west riding—

(a.) Construct an additional arch or opening under the public road leading from Newton Lane End to Thorpe-on-the-Hill on the west side of the existing bridge carrying the said public road over the West Yorkshire Railway of the Company and may pull down and re-construct the whole or any portion of the said existing bridge so as to make the same and the new or additional opening of one or more spans;

(b.) In connexion with the said work they may alter the levels of the said road for a distance of about three hundred yards measured in a north-westerly direction from the said bridge:

**STOPPING UP FOOTPATH AT OSSETT.**—The Company may in the township of Ossett-cum-Gawthorpe in the parish of Dewsbury in the said west riding stop up and discontinue as a public highway so much of the footpath leading from Queen Street to Intake Lane and adjoining the south-east side of the Ossett Railway Station yard as lies between the said Queen Street and Station Road:

**WIDENING BRIDGE AT CUTLER JUNCTION.**—The Company may in the township of Pudsey in the parish of Calverley in the said west riding make an additional arch or opening on the east side of the bridge carrying Arkwright Street over the

Gildersome Branch of the Great Northern Railway and may pull down and re-construct the whole or any portion of the said existing bridge.

A.D. 1893.

17. The site and soil of the several roads streets and footpaths or portions thereof by this Act authorised to be stopped up and discontinued and the fee simple and inheritance thereof shall (except where by this Act otherwise provided and subject to the acquisition of any existing private rights of way thereover by the Company) if the Company are or if and when under the powers of this Act or of any other Act already passed they become the owners of the lands on both sides thereof be from the time of the stopping up thereof respectively absolutely vested in the Company subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway.

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

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

Power to deviate in construction of roads.

19. Notwithstanding anything contained in section 46 of the Railways Clauses Consolidation Act 1845 the Company or the two Companies as the case may be shall not be liable to maintain the surface of any road or public highway which shall be carried over the railways of the Company or the two Companies as the case may be by a bridge or bridges unless the levels of such road or public highway shall be permanently altered so as to increase the gradient of any part thereof.

Companies not liable to repair surface of road gradient of which is not increased.

20.—(1.) Subject to the provisions of the last preceding section every diverted or substituted road or footpath constructed under the powers of this Act shall vest in and be repaired and maintained by the same bodies or persons (including the Company) as are now liable to repair and maintain the roads or footpaths for which they are substituted Provided that unless otherwise agreed the structure of every bridge shall be repaired and maintained by the Company.

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

(2.) The Company and any such body or person may (subject to the provisions of this Act) enter into and fulfil agreements for or in relation to such construction and for or in relation to the

A.D. 1893.

repair and maintenance of all or any of such new substituted or existing roads or footpaths.

(3.) Any such agreements shall be deemed to be purposes of the Public Acts under which such body or persons have jurisdiction and any expenses incurred in relation to such agreements shall be deemed to be expenses incurred for the purposes of those Acts.

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

For pro-  
tection of  
sewers of the  
Hornsey  
Local Board.

**21.** Before the Company under the powers of this Act commence to construct any railway or sidings or execute any works upon or alter the levels of any lands in the parish of Hornsey under or through which any sewer belonging to the Hornsey Local Board is situate or passes the Company shall in lieu of every such sewer construct a four foot egg-shaped brick sewer with proper man-holes and outfall to the reasonable satisfaction of the said local board and shall connect the same to the like satisfaction with the sewers with which the sewer in lieu of which the same is constructed connects and every sewer so constructed shall be the property of the said local board.

If any difference arise between the Company and the local board touching anything to be done or not to be done under this section such difference shall be determined by an engineer to be appointed (unless agreed on) on the application of either of the parties by the President of the Institution of Civil Engineers whose decision shall be conclusive on both parties and the costs of such determination shall be borne as he shall direct.

For the pro-  
tection of the  
Biggleswade  
Local Board.

**22.** For the protection of the Biggleswade Local Board (in this section called "the local board") be it enacted as follows:—

(1.) Before the existing bridleway and footpath at Biggleswade shall be stopped up the Company shall make a bridle and footway eight feet in width from a point to be agreed on between the Company and the local board in the bridle path at the north-east corner of the ballast pit on the east side of Biggleswade Station to a point to be so agreed on in the Company's existing road leading into Back Street Biggleswade and shall purchase or provide the necessary land and shall dedicate to the public the said road between the said

ballast pit and the junction of the existing road with Back Street;

- (2.) When the intended bridle path and footway has been completed by the Company to the reasonable satisfaction of the surveyor to the local board he shall certify the same in writing and thereupon the said bridle road and footpath and the portion of road so dedicated shall be taken over and shall thenceforth be repaired by the local board ;
- (3.) Before the said existing bridle way and footpath shall be stopped up the Company shall make and thenceforward maintain across the said station at a point to be agreed on between the Company and the local board a bridge six feet in width over the railway (to be used as a barrow and footway only) from the said road on the east side of the said station to Station Road on the west side of the station or (as the Company may elect) to the road on the west side of the station giving access to Station Road ;
- (4.) The slopes and approaches on either side of such bridge shall be made reasonably convenient as barrow-ways ;
- (5.) The Company shall provide steps leading from such bridge to their " up " and " down " platforms respectively ;
- (6.) If any difference arise between the Company and the local board touching anything to be done or not to be done under this section such difference shall be determined by an engineer to be appointed (unless agreed on) on the application of either of the parties by the President of the Institution of Civil Engineers whose decision shall be conclusive on both parties and the costs of such determination shall be borne as he shall direct.

**23.** Before the Company proceed to construct the diversion of road at Doncaster by this Act authorised they shall make and complete to the reasonable satisfaction of Francis Stevenson or other the principal engineer for the time being of the London and North Western Railway Company (herein-after called " the North Western Company ") another road of not less width than twenty-five feet for the purpose of affording a good and reasonable access to the engine-shed cottages and other property of the North Western Company.

The sites of so much of the roads known as Decoy Bank and Red Bank as adjoin the property of the Company on the one side and the property of the North Western Company on the other side shall be vested as to one half in the Company and the other half in the North Western Company.

For the protection of the London and North Western Railway Company.

A.D. 1893.

Power to  
Company  
to purchase  
additional  
lands.

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

In the county of London :

FINSBURY PARK.—Certain lands in the parish of Saint Mary Islington bounded on the south-east south-west and east by property of or reputed to belong to the Company and on the west by Isledon Road.

In the county of Middlesex :

HORNSEY.—Certain lands in the parish of Saint Mary Hornsey (that is to say) :—

- (A.) Lands adjoining the west side of the sidings of the Company at the coal stage at Hornsey Station ;
- (B.) Lands adjoining the west side of the land of the Company on the down side of the line at Ferme Park ;
- (C.) Lands lying between the eastern boundary of the property belonging or reputed to belong to the Company and a line parallel to and about 20 yards west of the west side of Clarendon Road :

Certain lands in the parish of Tottenham bounded on the south and west by the property belonging or reputed to belong to the Company and lying between the Hornsey Gasworks and Western Road :

Certain other lands in the said parish of Tottenham bounded on the west by the main line of the Company on the east by Western Road on the south by Middleton Road.

In the county of Bedford :

BIGGLESWADE.—Certain lands in the parish of Biggleswade (that is to say) :—

- (A.) Lands adjoining the western boundary of the Biggleswade Station yard and extending from a point about 233 yards measured in a southerly direction from the south end of the goods shed to another point in the same boundary about 83 yards measured in a south-westerly direction from the south end of the said goods shed ;



- (B.) Lands adjoining the said station yard and extending from a point nearly opposite the north signal box to another point at the south-west corner of the field numbered 192 on the  $\frac{1}{2500}$  Ordnance map of that parish;
- (C.) Lands adjoining the said Biggleswade Station yard and extending from the rear of the houses in Back Street to a point nearly opposite the north signal box.

In the West Riding of Yorkshire :

**DONCASTER.**—Certain lands in the township of Balby-with-Hexthorpe in the parish of Doncaster (that is to say) :—

- (A.) Lands lying between the disused entrance to Decoy Wood and the junction of Black Bank and Decoy Bank ;
- (B.) Lands bounded on the south-west by land belonging or reputed to belong to the Great Eastern Railway Company on the south-east by Red Bank on the east by Decoy Bank and on the north-west by Ten Pound Walk ;
- (C.) Lands bounded on the south-east by Ten Pound Walk and on the north by Doncaster Cemetery.

**WRENTHORPE.**—Certain lands in the township of Stanley-cum-Wrenthorpe in the parish of Wakefield (that is to say) :—

- (A.) Lands adjoining the west side of the West Yorkshire Railway of the Company and lying between Potoven's Lane and the public road leading from Wakefield to Bradford ;
- (B.) Lands adjoining the east side of the same railway and extending from the occupation level crossing north of Potoven's Lane to and partly bounded by the said public road.

**LOFTHOUSE.**—Certain other lands in the township of Stanley-cum-Wrenthorpe (that is to say) :—

- (A.) Lands situate on the west side of the West Yorkshire Railway of the Company and adjoining Lofthouse Station ;
- (B.) Lands bounded on the east and south by property of or reputed to belong to the Company on the south-west by the public road leading from Newton Lane End to Thorpe-on-the-Hill and on the north-west by a field belonging or reputed to belong to the Governors of the Free Grammar School of Queen Elizabeth at Wakefield.

**ARMLEY.**—Certain lands in the township of Armley in the parish of Leeds situate on the north side of the Leeds Bradford and Halifax Railway of the Company and adjoining the public road known as Whingate on the north-east side thereof.

A.D. 1993.

OSSETT.—Certain land in the township of Ossett-cum-Gawthorpe in the parish of Dewsbury bounded on the north-west by the Ossett Station yard of the Company and on the south-west by the north-east side of Station Road.

CUTLER HEIGHT.—Certain lands in the said township of Pudsey in the parish of Calverley (that is to say):—

- (A.) Lands situate on the north-eastern side of the Railways No. 5 and No. 6 authorised by the Great Northern Railway (Various Powers) Act 1885 and now in course of construction and extending from a point about 130 yards east of the occupation road leading to Tyersall House to the junction of the said Railway No. 6 with the Gildersome Branch of the Great Northern Railway;
- (B.) Lands situate on the southern side of the said Railway No. 5 authorised by the Great Northern Railway (Various Powers) Act 1885 and extending from Tyersall Lane to a point about 130 yards east of the said occupation road leading to the said Tyersall House;
- (C.) Lands included between the said authorised Railways No. 5 and No. 6 and the said Gildersome Branch Railway.

NORTH BIERLEY.—Certain lands in the township of North Bierley in the parish of Bradford (that is to say):—

- (A.) Lands situate between the north-western fence of the branch railway now in course of construction from Low Moor to Dudley Hill (being “Dudley Hill to Low Moor Railway No. 1” authorised by the Great Northern Railway Act 1883) and Merrydale Road;
- (B.) Lands on the south-easterly side of the said branch railway situate between the bridge carrying Back Lane over that branch railway and extending along Back Lane for about 163 yards and thence for a distance of about 490 yards in a south-westerly direction parallel with and at a distance of about 100 yards from the south-eastern fence of the said branch railway.

Buildings to  
be subject to  
Metropolitan  
Building  
Acts.

**25.** Any buildings erected on any land within the administrative county of London acquired by the Company under this Act (except such buildings or parts of buildings as may be used for the purposes of the railway or works connected therewith) shall be subject to the provisions of the Acts relating to buildings in the metropolis.

Buildings  
not to be  
brought

**26.** Notwithstanding anything in this Act or shown on the deposited plans it shall not be lawful for the Company (within

the county of London) to encroach upon any part of the surface of any street or footway or without the consent of the London County Council to erect or maintain any building beyond the general line of building in the road described on the deposited plans as Isledon Road.

A.D. 1893  
beyond  
general line  
&c.

**27.** Subject to the provisions of this Act the West Riding Railway Committee may enter upon take use and appropriate to purposes connected with their joint undertaking the lands hereinafter described which are delineated upon the deposited plans and described in the deposited books of reference (that is to say):—

Power to  
West Riding  
Railway  
Committee to  
acquire  
additional  
lands.

Certain lands in the parish of Crofton in the west riding of Yorkshire situated on the south-west side of the Crofton Branch Railway of the said committee and between the mile posts denoting three quarters of a mile and one mile respectively from Hare Park Station.

**28.** Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water) required for the purposes of this Act or any of the purposes of their undertaking in over or affecting any such lands and the provisions of the said Acts with respect to lands and rent-charges as far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights or privileges as aforesaid.

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

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

Period for  
compulsory  
purchase of  
lands.

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

Extending  
time for sale  
of certain  
superfluous  
lands.

A.D. 1893. — passing of this Act and as regards the other of the said lands for the period of two years from the passing of this Act :

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

As to taking  
houses of  
labouring  
class.

**31.**—(1.) The Company shall not under the powers of this Act purchase or acquire in any parish in the metropolis as defined by the Metropolis Management Act 1855 twenty or more houses nor shall the Company in any other city borough or urban sanitary district or any parish or part of a parish not being within an urban sanitary district so purchase or acquire ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(a.) They shall have obtained the approval in the case of the metropolis of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the said Secretary of State or the Local Government Board (as the case may require) shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case ; and

(b.) They shall have given security to the satisfaction of the said Secretary of State or the Local Government Board (as the case may require) for the carrying out of the scheme.

(2.) The approval of the said Secretary of State or the Local Government Board (as the case may require) to any scheme under this section may be given either absolutely or conditionally and after the said Secretary of State or the Local Government Board (as the case may require) have approved of any such scheme he or they (as the case may require) may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme

to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced : A.D. 1893.

Provided that the said Secretary of State or the Local Government Board (as the case may require) may dispense with the last-mentioned requirement subject to such conditions (if any) as he or they may see fit.

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

(5.) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the said Secretary of State or the Local Government Board (as the case may require) by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the Court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section such scheme shall for all purposes be deemed to be an undertaking of the Company and the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands beyond the metropolis by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7.) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as

A.D. 1893. — aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the date of such scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the said Secretary of State or the Local Government Board (as the case may require) may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as he or they may see fit.

(8.) All buildings erected or provided by the Company within the metropolis for the purpose of any scheme under this section shall be subject to the provisions of the Metropolitan Building Act 1855 and the Metropolis Management Act 1855 and any Act or Acts amending those respective Acts.

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

(10.) The said Secretary of State or the Local Government Board (as the case may require) may direct any inquiries to be held which he or they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875.

(11.) The Company shall pay to the said Secretary of State any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector.

(12.) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any

expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

A.D. 1893.

(13.) Any houses on any of the lands shown on the deposited plans occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company and for which houses no substitutes have been or are directed to be provided by any scheme approved by the said Secretary of State or the Local Government Board (as the case may be) under the powers of any previous Act relating to the Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition Provided that if the said Secretary of State or the Local Government Board (as the case may be) is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the said Secretary of State or the Local Government Board (as the case may be) they might have been sufficient to accommodate.

(14.) For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

**32.** The Company may hold furnish stock maintain carry on and manage in connexion with their railway and as part of their undertaking the Victoria Hotel and Refreshment Rooms connected therewith at Bradford in the said west riding and the expenditure already incurred by the Company in or about any of the before-mentioned purposes is hereby sanctioned and confirmed.

Power to hold and maintain Victoria Hotel &c. at Bradford.

**33.** The Company may apply to the purposes of this Act to which capital is properly applicable any of the moneys which they are already authorised to raise and which may not be required by them for the purposes for which the same were authorised to be raised.

Company may apply their funds towards purposes of Act.

A.D. 1893.

Provisions of  
certain  
sections of  
this Act  
applied to the  
Midland  
Railway  
Company  
and the  
West Riding  
Committee.

**34.** The provisions of the several foregoing sections of this Act the marginal notes whereof are respectively—

“ Power to take easements &c. by agreement ” ;

“ As to taking houses of labouring class ” ; and

“ Company may apply their funds towards purposes of Act ” ;

shall extend and apply mutatis mutandis to the two Companies or such one of them as shall exercise the powers by this Act granted for widening the Bourn and Lynn Railway and to the West Riding Committee and the Sheffield Company in respect of the powers by this Act granted to the said committee.

Calculation  
of votes.

**35.** The holders of all stocks (other than debenture stocks) forming part of the capital of the Company shall be entitled to vote at all meetings of the Company.

For the purpose of calculating the number of votes to which any holder of preferred converted ordinary stock is entitled the amount of preferred converted ordinary stock shall be taken at two thirds of the nominal amount standing in the books of the Company in the name of such stockholder.

Stockholders shall be entitled according to their respective holdings to the votes specified in the schedule to this Act provided that for the purpose of calculating the number of votes to which any stockholder holding stocks of more than one class is entitled (and subject also to the provision herein-after contained respecting preferred converted ordinary stock) the nominal amount of all stocks other than debenture stock standing in the name of such stockholder shall be added together and treated as one amount and provided further that in making such addition the amount to be included in respect of any holding of preferred converted ordinary stock shall be two thirds of the nominal amount of such stock standing in the books of the Company in the name of such stockholder.

Section 18 of the Great Northern Railway (Capital) Act 1890 is hereby repealed.

Provision as  
to general  
Railway  
Acts.

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

Costs of Act.

**37.** 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.



**SCHEDULE.**

A.D. 1893

**SCALE OF VOTES.**

- |   |   |
|---|---|
| In respect of an aggregate holding of stock of the Company to an amount not exceeding £250. | One vote for each amount of £25.  |
| In respect of an aggregate holding of stock exceeding £250 and not exceeding £2500.         | For the first £250 ten votes and for each succeeding £125 up to £2500 one vote. |
| In respect of an aggregate holding exceeding £2500.   | For the first £2500 twenty-eight votes and for every succeeding £250 one vote.  |

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