ANNO QUARTO

GULIELMI IV. REGIS.

Cap. ii.

An Act to alter, amend, and enlarge the Powers of an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making and maintaining a Railway or Tramroad from or near the City of* Bristol *to* Coalpit Heath *in the Parish of* Westerleigh *in the County of* Gloucester.

[26th *March* 1834.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making and maintaining a Railway or Tramroad from or near the City of* Bristol *to* Coalpit Heath *in the Parish of* Westerleigh *in the County of* Gloucester, whereby certain Persons were incorporated and were created one Body Corporate, by the Name and Style of "The *Bristol* and *Gloucestershire* Railway Company," for the Purpose of making such Railway or Tramroad, and the other Works by such Act authorized and required: And whereas by the said recited Act the said Company were authorized to raise and contribute amongst themselves a Sum of Money for making and completing the said Railway or Tramroad, and the other Works belonging or requisite thereto, not exceeding in the whole the Sum of Forty-five thousand Pounds: And whereas by the said recited Act the said Company were also authorized, in case the said Sum of 9 G. 4. c. 93.

Forty-five thousand Pounds should be found insufficient for the making, completing, and maintaining of the said Railway or Tramroad, and other Works thereby authorized to be made, and for defraying all necessary Charges and Expences relating thereto, to borrow and take up at Interest any further or other Sum of Money not exceeding the Sum of Twelve thousand Pounds by Mortgage of the said Undertaking: And whereas it was by the said recited Act enacted, that in case the said Railway or Tramroad should not have been completed within the Space of Five Years from the passing thereof, then and from thenceforth all the Powers, Authorities, and Privileges given by the said Act should cease and determine, save only and except as to so much thereof as should have been completed within such Time: And whereas the whole of the said Sum of Forty-five thousand Pounds hath been subscribed for and raised, and the said Sum of Twelve thousand Pounds hath been borrowed, on the Credit of the said Undertaking in pursuance of the Powers of the said recited Act: And whereas the said Company have proceeded in the Execution of the said recited Act, and have made great Progress in laying down and making the said Railway or Tramroad, and other Works thereby authorized to be made; and the said Company find that the said Sums of Forty-five thousand Pounds and Twelve thousand Pounds will not be sufficient to finish and complete the said Railway or Tramroad and other Works, and it is expedient that the said Company should be empowered to raise a further or additional Sum of Money for such Purposes; and in order to complete the said Railway or Tramroad and other Works aforesaid it is necessary that further Time should be granted for the same, and it is expedient that some of the Powers and Provisions in the said recited Act contained should be altered, amended, and enlarged; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That all and every the Powers, Authorities, Provisions, Regulations, Directions, Privileges, Penalties, Forfeitures, Restrictions, Matters, and Things whatsoever in the said recited Act contained, so far as the same are not altered, varied, or repealed, shall or may be put in execution for the Purposes of this Act, as fully and effectually to all Intents and Purposes as if the same and every Part thereof were repeated and re-enacted in this Act, and were made Part thereof.

Powers of former Act extended to this Act.

II. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, or by the Admission of new Subscribers, in addition to the Sums of Money which they have so already raised and borrowed as aforesaid under and by virtue of the said recited Act, any further Sum or Sums of Money, not exceeding in the whole the Sum of Twenty thousand Pounds, in such Proportions as they shall think fit; and such further Sum or Sums shall be divided into Shares of Fifty Pounds each; and such new or additional Shares so to be created by virtue of this Act shall or may be transferred or assigned from Time to Time, and shall or may be forfeited for Nonpayment of the Calls made thereon, in such and the same Manner as is provided in and by the said recited Act with regard to the Shares therein mentioned or referred to; and all Persons, Bodies Politic, Corporate, and Collegiate, and Parties whom-

Company empowered to raise a further Sum of Money not exceeding 20,000*l.* by Shares of 50*l.* each.

whomsoever, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more of the said new or additional Share or Shares, and shall pay such Sum or Sums of Money as shall be called for or demanded under and by virtue of the said recited Act and this Act, or either of them, shall respectively be entitled to and receive such proportional Part and Parts of the Profits or Advantage that shall or may arise or accrue from the said Undertaking, and have a Vote or Votes in respect of the same at all Meetings of the said Company of Proprietors to be held in pursuance of the said recited Act, with Power and Authority to appoint a Proxy or Proxies in his, her, or their Room or Stead, in such Way and Manner to all Intents and Purposes as is and are enacted and provided in and by the same Act with regard to the present or old or original Subscribers to and Proprietors of the said Undertaking.

Company empowered to raise the Money on Mortgage.

III. And be it further enacted, That if the said Company shall not raise and contribute amongst themselves, or by the Admission of new Subscribers, a Sum sufficient for making and completing the said Railway or Tramroad and other Works as aforesaid, and shall be desirous of raising the same or any Part thereof by Mortgage of the said Undertaking, it shall be lawful for the said Company, but without Prejudice to any Mortgage or Mortgages granted by the said Company for securing the said Sum of Twelve thousand Pounds which they were authorized to borrow and take up at Interest by the said recited Act as aforesaid, or any Part thereof, to borrow and take up at Interest the whole or so much of the said Sum of Twenty thousand Pounds as shall not have been raised by Shares as aforesaid upon the Credit of the said Undertaking; and the said Company are hereby fully authorized and empowered to assign over by way of Mortgage to any Person or Persons, or to his, her, or their Trustee or Trustees, lending any such Money, the Property of the said Undertaking, and the Tolls, Rates, and Duties granted by the said recited Act; and such Mortgage or Mortgages may be made and transferred in the Manner and Form, and subject to the Rules, Conditions, and Provisions, contained in the said recited Act, and shall be subject to the Regulations therein contained, as if the same were raised or borrowed under the Authority of the said Act.

Term granted for completing the Railway and other Works extended.

IV. And be it further enacted, That the Time for making and completing the said Railway or Tramroad and other Works by the said recited Act authorized to be made, and for purchasing the Land or Ground to be taken or used for the Purposes thereof, shall be extended and enlarged, and the several Powers by the said Act given to or conferred upon the said Company for making such Purchases as aforesaid shall be continued for the further Space of Three Years, to commence and be computed from the passing of this Act.

If the Railway is not completed within Three Years, Powers of the Acts to cease.

V. And be it further enacted, That in case the said Railway or Tramroad shall not have been made and completed within the Space or Time of Three Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Three Years all the Powers, Authorities, and Privileges by the said recited Act and this Act given to or conferred upon the said Company for making such Railway or Tramroad, and the several Works, Matters, and Things belonging thereto

thereto or connected therewith, shall cease and determine, save only and except as to so much of the said intended Railway or Tramroad and other Works as shall have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said County of *Gloucester* assembled at any General or Quarter Sessions of the Peace to be holden for the said County at any Time before the Expiration of the said Term of Three Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of One or more Witness or Witnesses upon Oath, to be produced before them for that Purpose.

Expences of Act.

VI. And be it further enacted, That the Costs, Charges, and Expences of applying for, obtaining, and passing this Act shall be defrayed out of the Funds of the said Company.

Public Act.

VII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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