

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Companies, and to amend and enlarge some of the Provisions of the Acts relating to the first-named Company: And whereas it is expedient that the *Eastern Counties* Railway Company should be empowered to make and maintain a Railway from the *Northern and Eastern* Railway at *Stratford* in the County of *Essex*, by way of *Woodford*, to *Loughton* in the same County, herein-after described: And whereas it is expedient that the Provisions of the first-recited Act with respect to the Mode of supplying Vacancies in the Board of Directors, and with respect to the Periods at and during which the Transfer Books of the Company are to be closed, should be repealed, and that the Provision herein-after in that Behalf contained should be enacted in lieu thereof, and that the said Company should be authorized to attach to any Shares or Stock which they may hereafter create for the Purpose of paying off their Mortgage and Bond Debt the Right of Payment of a fixed Rate of Interest herein-after mentioned; but for the Purposes aforesaid the Authority of Parliament is necessary: 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,)

8 & 9 Vict. cc. 16. & 18. incorporated with this Act.

I. That the Clauses and Provisions of the "Lands Clauses Consolidation Act, 1845," and of the "Railways Clauses Consolidation Act, 1845," shall be incorporated with and shall form Part of this Act, except so far as the same may be expressly varied by this Act.

Power to make Railway.

II. That it shall be lawful for the *Eastern Counties* Railway Company and they are hereby required to make and maintain a Railway, with all proper Works and Conveniences connected therewith, commencing by a Junction with the Northern and Eastern Line of the *Eastern Counties* Railway in the Parish of *Wanstead* in the County of *Essex*, and terminating in the Parish of *Loughton* in the same County.

Railway to be made according to deposited Plans.

III. Whereas Plans and Sections showing the Line and Levels of the Railway, and also a Book of Reference to the said Plans containing the Names of the Owners or reputed Owners and Lessees or reputed Lessees and of the Occupiers of the Lands which may be required for the Purposes of the same, have been deposited for public Inspection with the Clerk of the Peace for the County of *Essex*: Be it enacted, That, subject to the Powers of Deviation in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, the Railway shall be made in the Line or Course and upon the Lands delineated upon the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and,

and, subject to the Provisions in this and the recited Acts contained, it shall be lawful for the *Eastern Counties* Railway Company to enter upon, take, and use such of the said Lands as may be necessary for the Purposes thereof.

If Company take certain Properties numbered on Plans, they shall, if required, purchase House, &c. belonging to T. Reynolds.

IV. And whereas the Railway hereby authorized is intended to be constructed in the Parish of *Wanstead* on a high Embankment within a short Distance of a Dwelling House and Premises called *Valley Cottage* belonging to *Thomas Reynolds*, or in which the said *Thomas Reynolds* and *Isabella* his Wife, or One of them, is or are interested, and it is apprehended that the Value of the said House and Premises will be materially affected by the Construction of the said Railway: Be it enacted, That if the said Company shall purchase or take any Part of either of the Properties in the said Parish numbered respectively 24 and 25 on the said Plans, they shall also, within Two Years from the passing of this Act, if required by the said *Thomas Reynolds*, purchase the said Dwelling House, and the Premises and Grounds attached thereto, (subject nevertheless to the Tenancies existing therein,) at a Price to be fixed, in case of Difference, by Arbitration, in the Manner prescribed by the "Lands Clauses Consolidation Act, 1845," for the Settlement of Cases of disputed Compensation.

Lands for extraordinary Purposes.

V. That it shall be lawful for the Company to purchase for extraordinary Purposes connected with the Railway any Quantity of Land not exceeding Ten Acres.

Period for compulsory Purchase of Lands limited.

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

Time for the Completion of Railway limited.

VII. That the Railway shall be completed within Three Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for making the same shall cease.

Railway not to be opened until an additional Line of Rails has been laid down.

VIII. And whereas the Company contemplate laying down an additional Line of Rails upon their Railway between the Junction of the *North Woolwich* Railway with the *Eastern Counties* Railway at *Stratford* and the Junction of the *London and Blackwall* Railway with the *Eastern Counties* Railway at *Bow*: Be it enacted, That the Railway by this Act authorized shall not be opened until such additional Line of Rails as aforesaid shall have been laid down.

After Three Years, no Dividend to be paid on

IX. That after the Expiration of Three Years from the passing of this Act it shall not be lawful for the Company to pay any Dividend upon any Shares in the Capital of the Company (not being Shares

unguaranteed Shares, unless Railway be opened.

Shares upon which any fixed or guaranteed Dividend may be payable) unless and until the Railway shall be opened for the Purposes of public Traffic.

Railway to form Part of the Undertaking of the Eastern Counties Railway.

X. That the Railway shall form Part of the Undertaking of the Company; and it shall be lawful for the Company to apply any Capital or Funds now belonging to them, or under the Control of the Company, or any Money which they are now authorized to raise on Mortgage or Bond, to the Purposes aforesaid or any of them.

Level Crossings.

XI. That, subject to the Provisions in this Act and in "The Railways Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company, in the Construction of the Railway, to carry the same across and upon the Level of the several public Carriage Roads numbered on the Plans deposited as aforesaid as follows; (that is to say,)

In the Parish of *Saint Mary Leyton*, the Road numbered 35:
In the Parish of *Wanstead*, the Road numbered 33:
In the Parish of *Woodford*, the Roads numbered respectively 2 and 39.

Station or Lodge to be erected at Points of crossing.

XII. That for the greater Convenience and Security of the Public the Company shall erect and permanently maintain either a Station or Lodge at the Points where the Railway crosses the before-mentioned Roads on the Level; and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass such Roads, as may from Time to Time be made by the Board of Trade; and if the Company shall fail to erect or at all Times maintain any such Station or Lodge, or appoint a proper Person to watch or superintend the Crossing at such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred.

Board of Trade may require Bridges in lieu of level Crossings.

XIII. That it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time hereafter to require the Company, within such Time as the said Board shall direct, and at the Expense of the Company, to carry any or either of the said Roads either over or under the Railway by means of a Bridge or Arch, in lieu of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the said Board or to be best adapted for removing or diminishing the Danger arising from such level Crossing; but where

where any such Road shall be so carried under or over the Railway it shall not be necessary for the Company to erect or maintain any Station or Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Defining the Mode of crossing the Middlesex and Essex Turnpike Road.

XIV. That nothing in this Act or in any Act incorporated herewith contained shall authorize or permit the Company to raise or elevate the Turnpike Road numbered 66 on the said Plans in the Parish of *Saint Mary Leyton* in the County of *Essex* in any Part where the Railway shall cross or intersect or be carried under or otherwise interfere with such Turnpike Road to any Height or Level greater or more than Two Feet above the present or existing Height or Level of the Turnpike Road at the Part where the said Railway shall so cross, intersect, or be carried under or otherwise interfere with such Road as aforesaid; and wheresoever the said Turnpike Road shall be in any Manner altered or interfered with (except as hereinafter mentioned) by the said Company, the present or existing Width and Dimensions, as well of the Horse and Carriage Way as of the Footways of the said Turnpike Road, shall in all Cases be fully and effectually preserved and maintained, without any Contraction or Diminution thereof whatsoever, namely, of the Width of Thirty-five Feet; and every Bridge or Viaduct which the Company shall cause to be built or made for the Purpose of carrying the said Turnpike Road over or across the Railway, and all the Approaches thereto, from the Point where the said Road shall be in any Manner altered or interfered with by the Company, shall be of the full Width of Thirty-five Feet from Side to Side, and shall be made and built at an Angle so as to form the said Turnpike Road and Footpaths of the said clear Width of Thirty-five Feet as aforesaid, and with good and substantial Parapets, Fences, and Side Walls of the full Height of Seven Feet; and such Parapets, Fences, and Side Walls, being of the Height aforesaid, shall be continued and carried on upon each Side of the said Bridge or Viaduct for a Distance of not less than Thirty Feet at each End of the said Bridge or Viaduct, (that is to say,) a Distance of Thirty Feet from the Point where the said Bridge or Viaduct ceases to be directly or immediately over or above any Part of the said Railway, and the Ascent and Inclination of the said Turnpike Road in the several Approaches towards and unto such Bridge or Viaduct or any Part thereof shall not in any Part, either of the Horse or Carriage Way or of the Footways, be more or greater than an Ascent or Inclination of One Foot in Sixty Feet.

Mode of erecting Bridges.

XV. That the Bridge or Viaduct by means of which the Turnpike Road numbered 66 on the said Plans in the Parish of *Saint Mary Leyton*

Leyton is intended to be carried over the Railway and the several Approaches thereto shall be so made and executed that One Moiety or Half Part of the said Bridge or Viaduct, (that is to say,) One Moiety or Half Part of the same according to the intended Width thereof as measured from Side to Side, and One Moiety or Half Part of each of the several Approaches thereto, (that is to say,) One Moiety or Half Part of each in Width as measured from Side to Side, and being the Moiety or Half Part which is on the same Side as and immediately leading to the aforesaid Moiety or Half Part of the said Bridge or Viaduct, and including as well the Horse and Carriage Ways as the Footways of such Approaches respectively on the same Side, shall be fully made, built, constructed, and executed, and the same respectively shall be in all respects completed and rendered safe and fit and commodious for the Use and Traffic of the Public, and for the convenient Passage over the same Moiety or Half Part of the said Bridge or Viaduct, and for their Access thereto by means of the said several Moieties or Half Parts of the said several Approaches thereto, as well with Horses and Carriages as on Foot, before any Part of the other Moiety or Half Part of the said Bridge or Viaduct, or the other Moiety or Half Part of the said Approaches thereto, or any of the Works connected therewith, shall be commenced or undertaken; and every Alteration of or Interference with any Road included in the *Middlesex and Essex* Turnpike Trust by the said Company shall, except as aforesaid, and so far as the same is not hereby specially directed or provided for, be subject to and regulated by the several Clauses of "The Railways Clauses Consolidation Act, 1845," with respect to the crossing of Roads or other Interference therewith, and the several Provisions and Enactments therein contained, so far as the same respectively are not inconsistent herewith: Provided always, that the said Bridge or Viaduct, and every Moiety and Portion thereof, shall be made and built, and every such Alteration and Interference as aforesaid shall be made and executed, with good, sufficient, and substantial Material, and the same respectively shall be made, built, constructed, executed, and completed to the reasonable Satisfaction and subject to the reasonable Approval of the Surveyor or Superintendent of the *Middlesex and Essex* Turnpike Roads for the Time being: Provided also, that if any better or other Arrangements for the Accommodation of the Public at such Crossing shall hereafter be made and entered into in Writing by and between the said Trustees and the said Railway Company in reference to the erecting of the whole of the said Bridge at One and the same Time, it shall be lawful for the Company so to construct the same; and in that Case a good and sufficient temporary Road shall be there made, formed, and maintained for the Use of the Public, Watchmen appointed, Lights supplied, Fences and Protections set up, and all other requisite and advisable Means adopted, maintained, and continued

tinued while such entire or Moiety of Bridge is and are being so made, and the same completed, fit for the Use of the Public, before the present Turnpike Road or Footpaths, and the Traffic over the same, is and are in any way interfered with.

Works interfering with Sewers to be subject to Approval of the Metropolitan Commissioners of Sewers.

XVI. That, notwithstanding this Act, or anything contained in it or in any Act incorporated therewith, any Work shall not be done which shall in any way interfere with any Sewers, Drains, or Watercourses under the Control of the Metropolitan Commissioners of Sewers; and any new Sewers, Drains, or Watercourses, or Works of Drainage, shall not be made or done, under the Powers of this Act, unless the same be previously approved by those Commissioners, and the same shall be carried on and completed under the Direction and Control of those Commissioners and their Officers; and all Sewers, Drains, Watercourses, and Works of Drainage made under this Act shall be and remain subject in all respects to the Jurisdiction of those Commissioners; and whenever any Works of the Company would intersect or interfere with any Sewer, Drain, or Watercourse under the Control of those Commissioners, the Company shall, before any such Works be made, construct such proper Sewers or Works of Drainage, and also comply with such Orders and Regulations as those Commissioners of Sewers make to guard against Injury to the Drainage of the District; and this Act or anything therein contained shall not take away, lessen, prejudice, or affect any of the Rights, Powers, Jurisdictions, or Authorities of those Commissioners.

Trains not to stop at any Station in St. Mary Leyton during Morning Service on Sundays.

XVII. That no Train or Carriage conveying Passengers or Goods on the said Railway shall stop at any Station in the said Parish of *Saint Mary Leyton* on a *Sunday* between the Hours of Half past Ten o'Clock in the Forenoon and One o'Clock in the Afternoon.

Tolls for Goods, &c.

XVIII. That it shall be lawful for the Company to demand any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

For all natural Manures, Limestone for burning, and undressed Materials for Roads, Buildings, pitching or paving, Coals, Coke, Culm, Charcoal, Bricks, Tiles, Slates, Clay, Sand, Ironstone, Iron Ore, Pig Iron, Bar Iron, and all other similar Descriptions of Wrought Iron, and for heavy Iron Castings not manufactured into Utensils or into other Articles of Merchandise, and all such Articles offered for Carriage in Bulk, and not requiring Protection, not exceeding *per* Ton *per* Mile One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Farthing:

For all Quick Lime, Oil Cake, and artificial Manures, Cider, Hops, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber

and

and Deals, Bark, Metals (other than Iron), Plates of Iron, Iron Nails, Chains, and other Articles manufactured in Iron, and for light Castings, not exceeding *per* Ton *per* Mile Twopence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Sugar, Groceries, Fish, Cotton, and Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Articles, Matters, or Things not specially herein-before mentioned, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Penny:

And for every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, carried or conveyed on a Truck or Platform not belonging to the Company, *per* Mile not exceeding Fivepence:

And a Sum of Twopence *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh; and if conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding One Penny.

Tolls for Passengers and Animals.

XIX. That in respect of Passengers and Animals conveyed in Carriages upon the Railway the Company may demand any Tolls for the Use of the Railway not exceeding the following; (that is to say,)

For any Person conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Horse, Mule, Ass, or other Beast of Draught or Burden, and for every Ox, Bull, Cow, or other Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding Fourpence: and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny:

For every Calf or Pig, Sheep or Lamb, or other small Animal, conveyed in or upon any such Carriage, *per* Mile not exceeding One Farthing; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Farthing.

Tolls for locomotive Power.

XX. That the Company may demand Tolls for the Use of Engines for propelling Carriages on the Railway not exceeding One Penny *per* Mile for each Passenger or Animal, or for each Ton of Goods or other Articles, in addition to the several other Tolls or Sums by this Act authorized to be taken, unless the said Passengers, Animals, or Goods are sent by a special or extra Train, in which Case the Company

pany may charge any reasonable Sum, in their Discretion, beyond the Tolls and Charges herein limited.

Regulation as to Tolls.

XXI. That the following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Four Miles (inclusive of any Distance upon any other Railway belonging to or in possession of the Company over which such Articles or Persons may be conveyed), the Company may demand Tolls and Charges as for Four Miles:

For a Fraction of a Mile beyond Four Miles or beyond any great Number of Miles the Company may demand Tolls and Charges as for One Quarter of a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so on in proportion for any smaller Quantity.

Tolls for small Parcels and Articles of great Weight.

XXII. That with respect to small Packages, and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railway or any Part thereof;

For any Parcel not exceeding Seven Pounds in Weight, Fourpence;

For any Parcel exceeding Seven Pounds in Weight but not exceeding Fourteen Pounds in Weight, Sixpence;

For any Parcel exceeding Fourteen Pounds in Weight but not exceeding Twenty-eight Pounds in Weight, Ninepence;

For any Parcel exceeding Twenty-eight Pounds in Weight but not exceeding Fifty-six Pounds in Weight, One Shilling;

And for any Parcel exceeding Fifty-six Pounds and not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they shall think fit: Provided always, that Parcels sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages: Provided also, that this present Enactment with reference to small Parcels shall be subject

to any future Revision and Alteration under the Authority of Parliament:

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

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

Maximum Charges for Conveyance of Passengers.

XXIII. That the maximum Rate of Charge to be made by the Company for the Conveyance of Passengers upon the Railway, including the Tolls for the Use of the Railway, and of Carriages and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, the Sum of Twopence *per* Mile:

For every Passenger conveyed in a Second-class Carriage, the Sum of One Penny Halfpenny *per* Mile:

For every Passenger conveyed in a Third-class Carriage, the Sum of One Penny *per* Mile.

Maximum Charges for Animals and Goods.

XXIV. That with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and Waggons or Trucks and locomotive Power, and every Expense incidental to such Conveyance, (except the loading and unloading of Goods, and for Delivery and Collection, and any other Services incidental to the Business or Duty of a Carrier, where such Services are performed by the Company,) shall not exceed the following Sums:

For Horses, or other Beasts of Draught or Burden before classed with Horses, except Oxen, Bulls, Cows or other Neat Cattle, the Sum of Fivepence *per* Head *per* Mile:

For Oxen, Bulls, Cows, or other Neat Cattle, the Sum of One Penny Halfpenny *per* Head *per* Mile:

For Calves, Pigs, Sheep, or small Animals, One Halfpenny *per* Head *per* Mile:

For every Carriage, the Sum of Sixpence *per* Mile:

For natural Manures, Coals, Coke, and other Articles herein-before classed therewith, the Sum of One Penny Halfpenny *per* Ton *per* Mile:

For all Quicklime, Grain, and other Articles herein-before classed therewith, the Sum of Twopence Halfpenny *per* Ton *per* Mile:

For Sugar, and other Articles herein-before classed therewith, the Sum of Fourpence *per* Ton *per* Mile.

Not to apply to special Trains.

XXV. That the Restriction as to the Charges to be made for Passengers shall not extend to any special or extra Train.

Increased Charges may be taken by Agreement.

XXVI. That nothing herein contained shall be held to prevent the Company from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of or Persons in charge of such Goods, either in respect of the Conveyance of such Goods, except small Parcels, by Passenger Trains, or by reason of any other special Service performed by the said Company in relation to such Goods.

Passengers Luggage.

XXVII. That every Passenger travelling on the Railway may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers, Sixty Pounds in Weight for Second-class Passengers, and Forty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Certain Provisions of 6 & 7 W. 4. c. 106. repealed.

XXVIII. That from and after the passing of this Act the Provisions of the Sixth and Seventh *William* the Fourth, Chapter One hundred and six, (being the Act firstly herein-before recited,) with respect to the supplying occasional Vacancies in the Board of Directors of the said Company, and with respect to the closing the Books kept for the Purpose of entering Memorials of Transfers of Shares in the said Company at certain Periods, to wit, Sections One hundred and forty-two and One hundred and sixty-seven of that Act, shall be and are hereby repealed.

For supplying occasional Vacancies in the Board of Directors.

XXIX. That when and so often as any Director of the Company shall die or resign, or shall become disqualified or incompetent to act as a Director, or shall cease to be a Director by any other Cause than going out of Office by Ballot or Rotation, it shall be lawful for a Majority of the Shareholders in the Company present at any General or Special General Meeting, if they shall think proper so to do, to elect some other Proprietor, being duly qualified, to be a Director, in lieu and instead of any Director who shall have died, resigned, become disqualified, or incompetent to act as a Director, or who shall have ceased to be a Director as aforesaid; but every such Proprietor so elected to fill up any Vacancy shall continue in Office as a Director so long only as the Person in whose Place or Stead he

may have been elected would have been entitled to continue if he had lived or remained in Office.

Power to close Transfer Books at certain Periods.

XXX. That it shall be lawful for the Company to close the Books kept for entering Memorials of Transfers of Shares in the said Company for a Period not exceeding Twenty-one Days before each of the Half-yearly General Meetings of the Company, and to fix a Day for that Purpose during which Time the Company shall not be bound to take notice of any Transfer which shall not have been registered previously to the Day fixed for closing the said Books; but all such Transfers shall, as between the Parties claiming under the same and the said Company, but not otherwise, be considered as made subsequently to such Half-yearly General Meeting: Provided always, that Seven Days Notice at the least of the Day on which the said Books shall be closed shall be given in One or more Newspaper or Newspapers published in each of the Counties of *Middlesex*, *Essex*, *Suffolk*, and *Norfolk*.

Power to attach a Right of fixed Dividend to Shares or Stock created in lieu of borrowing, or for the Purpose of paying off Mortgages or Bond Debts.

XXXI. That it shall be lawful for the Company, from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present in Person or by Proxy at any General Meeting of the Company specially convened for the Purpose, to attach to any Shares or Stock which they may create and are now authorized to create, instead of borrowing any Sums which they are now authorized to borrow, or for the Purpose of paying off their Mortgage or Bond Debt, or any Part thereof, a fixed Right of yearly Dividend or Interest payable in preference to the Dividends on any other Stock or Shares of the Company, whether ordinary or guaranteed, at any Rate not exceeding Four Pounds for every One hundred Pounds: Provided always, that nothing in this Act contained shall in anywise prejudice or affect the Rights of the Holders of any Mortgages or Bonds of the Company; provided also, that after the Conversion of any such Mortgages or Bonds into Stock it shall not be lawful for the Company again to issue Mortgages or Bonds in respect of the Sum so converted, or again to borrow the same, but the Powers of borrowing by the Company shall, to the Extent of the Money so from Time to Time converted into Shares or Stock, be extinguished.

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

XXXII. That it shall not be lawful for the Company, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Act or Acts, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purposes of obtaining an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

XXXIII. That

Interest not to be paid on Calls paid up.

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

Railway to be subject to Provisions of 1 & 2 Vict. c. 98.; 3 & 4 Vict. c. 97.; 5 & 6 Vict. c. 55.; 7 & 8 Vict. c. 85.; 9 & 10 Vict. c. 57.; and 14 & 15 Vict. c. 64.

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

Railway not exempt from Provisions of future General Acts.

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

Short Title.

XXXVI. That in citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "The *Eastern Counties* Railway (*Woodford and Loughton* Branch) Act, 1853."

Saving the Rights of the Crown.

XXXVII. That nothing whatsoever contained in this Act or in the Acts incorporated herewith contained shall extend to authorize the said Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, or to interfere with, prejudice, or in any Manner affect any Forestal or other Rights belonging to Her Majesty, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Expenses of Act.

XXXVIII. That all the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the *Eastern Counties* Railway Company.

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