ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. clxxiv.

An Act to amalgamate the *Eastern Union* and *Ipswich and Bury Saint Edmunds* Railway Companies. [9th *July* 1847.]

WHEREAS an Act was passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for making a Railway* 7 & 8 Vict.
from Colchester *to* Ipswich, whereby a Company was incorporated c. 85.
under the Style of "The *Eastern Union* Railway Company:" And whereas another Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to amend the Act relating to the* Eastern Union 8 & 9 Vict.
Railway Company, and to raise a further Sum of Money for the Pur- c. 94.
poses of the said Undertaking: And whereas another Act was passed in the last Session of Parliament, intituled *An Act to empower the* 9 & 10 Vict.
Eastern Union *Railway Company to complete the* Eastern Union *Rail-* c. 97.
way from the Junction thereof with the Line of the Eastern Counties *Railway at* Ardleigh *to* Colchester: And whereas the said *Eastern Union* Railway from *Colchester* to *Ipswich* has been made, completed, and opened to the Public: And whereas an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, called "The *Ipswich and Bury Saint* 8 & 9 Vict.
Edmunds c. 97.

Edmunds Railway Act, 1845," whereby a Company was incorporated under the Style of "The *Ipswich and Bury Saint Edmunds* Railway Company:" And whereas another Act was passed in the last Session of Parliament, intituled *An Act to amend the* Ipswich and Bury Saint Edmunds *Railway Act*, 1845, *and for making a Railway from the said* Ipswich and Bury Saint Edmunds *Railway to* Norwich, *with a Branch therefrom:* And whereas the said *Ipswich and Bury Saint Edmunds* Railway, as authorized by the said Two last-recited Acts, has been completed from *Ipswich* to *Bury Saint Edmunds*, and the Remainder thereof is now in course of Construction: And whereas the Undertakings authorized by the said several recited Acts might be advantageously worked under One Management, and the said *Eastern Union* and *Ipswich and Bury Saint Edmunds* Railway Companies are therefore desirous of being united and incorporated into One Company, but the Objects aforesaid cannot be carried into effect 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, That from and immediately after the Commissioners of Railways shall have granted a Certificate in manner herein-after mentioned the said *Eastern Union* Railway Company and the said *Ipswich and Bury Saint Edmunds* Railway Company shall be respectively dissolved.

9 & 10 Vict. c. 280.

Companies incorporated by recited Acts dissolved.

Recited Act 7 & 8 Vict. c. 85., and Parts of recited Acts 8 & 9 Vict. cc. 94. & 97., 9 & 10 Vict. cc. 97. & 280., repealed.

II. And be it enacted, That from and immediately after the granting of such Certificate the said recited Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, and so much and such Parts of the said other recited Acts as relate to the Incorporation and Constitution of the Companies to be dissolved as aforesaid, or either of them, or to the respective Capitals or Shares, or to the Directors of either of the said Companies, or to the Meetings of such Companies or Directors, or to the Monies authorized to be raised on Mortgage, or to the Tolls or Charges authorized to be demanded, levied, or taken by the said Companies or either of them, shall be repealed.

Incorporation of new Company.

III. And be it enacted, That from and immediately after the granting of the said Certificate the several Persons and Corporations who were immediately before the granting thereof Proprietors of Shares in the Capital or Joint Stock of either of the said dissolved Companies, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of holding, completing, maintaining, using and working all and singular the Railways, Branches, Extensions, and Works now made or vested in or authorized to be made by the Companies to be dissolved as aforesaid, or either of them, under the Authorities of the said recited Acts or any or either of them, or which during the present Session of Parliament may be authorized to be made, held, purchased, leased, used, worked, completed, or maintained by the said Companies or either of them; and for the Purposes aforesaid such united Company shall immediately after the granting of the said Certificate be incorporated by the Name of "The *Eastern Union* Railway Company,"

pany," and by that Name shall be a Body Corporate, and have a Common Seal with perpetual Succession, and shall have Power to purchase and hold and sell and dispose of Lands within the Restrictions herein-after contained.

Interpretation of "dissolved Companies," and "new Company."

IV. And be it enacted, That in construing this Act the Expression "the dissolved Companies" shall apply to the Companies to be dissolved under the Provisions of this Act, and the Expression "the new Company," shall apply to the Company to be incorporated under the Provisions of this Act.

8 & 9 Vict. c. 16. to apply to this Act.

V. And be it enacted, That the Provisions of "The Companies Clauses Consolidation Act, 1845," so far as the same are applicable and are not modified by this Act or inconsistent with the Provisions thereof, shall be held to apply to the new Company.

Dissolution of Companies and Repeal of Acts not to affect Contracts, &c. previously made.

VI. And be it enacted, That the Dissolution of the said Companies and the Repeal of so much of the said several recited Acts as may under the Powers and Provisions of this Act be or become repealed, shall not be held to invalidate or in anywise prejudice or affect any Act of either of the dissolved Companies done before the granting of the said Certificate, or any Liability, Debt, Contract, Agreement, Purchase, Sale, Conveyance, Grant, Mortgage, Bond, Instrument, or Engagement, Act, Matter, or Thing, whatsoever, heretofore made, done, committed, executed, or entered into, by, with, in favour of, or for either of the dissolved Companies, but every such Liability, Debt, Contract, Agreement, Purchase, Sale, Conveyance, Grant, Mortgage, Bond, Instrument, and Engagement, Act, Matter, and Thing, shall be as good, valid, and effectual to all Intents and Purposes in favour of or against the new Company as they would have been in favour of or against either of the dissolved Companies if such Company had not been dissolved.

Nothing in this Act to prejudice the Rights, &c. granted to Persons under recited Acts.

VII. And be it enacted, That nothing herein contained shall extend in any way to defeat, affect, or prejudice any Rights, Privileges, Liberties, Powers, Easements, Accommodations, or Exemptions which under or by virtue of the said recited Acts or any of them are given, granted, continued, or reserved to or for the Benefit of any Persons or Corporations whose Estates, Properties, or Interests are, have been, or may be in anywise affected in or by the making or maintaining or otherwise on account of the Railways, Branches, and Works by the same Acts respectively or any of them authorized to be made and maintained, or to which such Persons or Corporations are entitled under or by virtue of the said recited Acts or any of them; and such several Persons and Corporations shall be entitled to and shall have, use, and enjoy the same Rights, Privileges, Liberties, and Powers, Easements, Accommodations, and Exemptions, or such and so many of them as immediately before the granting of the said Certificate they were entitled to have, use, and enjoy, and shall and may have and be entitled to such or the like Powers and Remedies upon and against the new Company, for securing the Possession, Use, and Enjoyment of such Rights, Privileges, Easements, Accommodations, and Exemptions as under the Provisions of the said recited Acts or any of them they

they had or were or might have been entitled to against the dissolved Companies or either of them; and all such Penalties, Damages, Monies, Costs, and Expences as under the Provisions of the said recited Acts or any of them would or thereafter might have become payable to or recoverable by such Persons and Corporations as aforesaid of and from the dissolved Companies or either of them, in case this Act had not been passed, shall and may be payable by and recoverable from the new Company, in such Manner and by such Ways and Means as the same are respectively made payable and recoverable under the Provisions of the said recited Acts or any of them by or against the dissolved Companies or either of them.

Powers of dissolved Companies vested in Company hereby incorporated.

VIII. And be it enacted, That all the Powers and Privileges given and granted to the dissolved Companies or either of them by the said recited Acts or any of them, or which at or immediately before the granting of the said Certificate could or might have been exercised or enjoyed by the dissolved Companies or either of them, shall, from and after the granting of such Certificate, save in so far as such Powers, Rights, or Privileges are repealed or modified by this Act, be vested in and shall and may be exercised and enjoyed by the new Company, in the same Manner and as fully and effectually to all Intents and Purposes as if such last-mentioned Company had been specially named in the Acts conferring such Powers and Privileges instead of either of the dissolved Companies upon whom such Powers, Rights, or Privileges are thereby specifically conferred, but subject nevertheless to the several Provisions and Restrictions contained in such Acts affecting either of the dissolved Companies, save in so far as such Provisions or Restrictions may be modified by or inconsistent with the Provisions of this Act; and all Acts of either of the dissolved Companies done in conformity with the Provisions of such Acts or any of them, or of any other Act or Acts relating to or affecting the said dissolved Companies or either of them, prior to the granting of the said Certificate, shall be deemed, taken, and considered to be the Acts of the new Company.

Railways and Works vested in the Company hereby incorporated.

IX. And be it enacted, That from and immediately after the granting of the said Certificate the Undertakings comprised under the Names of the *Eastern Union* Railway, and the *Ipswich and Bury Saint Edmunds* Railway, respectively, and all Railways, Extensions, Branches, and Works, Lands, Buildings, Tenements, or Hereditaments which were vested in or belonging to or authorized to be made by the dissolved Companies or either of them immediately before the granting of such Certificate, and whether made under the Powers of the said recited Acts or any or either of them, or any other Act or Acts, or with the Consent of Landowners or otherwise, and all Easements, Rights, Powers, and Privileges whatsoever, and the Benefit of all Contracts, Agreements, and Proceedings in any way relating to the said Undertakings respectively, of or to which the dissolved Companies or either of them were or may be seised, possessed, or entitled at Law or in Equity immediately before the granting of such Certificate, shall be well and effectually vested in the new Company for their absolute Benefit; and such Railways, Extensions, Branches, and Works, as well as any other Railways, Extensions, Branches, and Works which may

may be or become vested in or authorized to be made by the new Company or either of the dissolved Companies by virtue of any Act or Acts which may be passed in the present Session of Parliament shall be called "The *Eastern Union* Railway."

Chattels and Choses in Action vested in Company.

X. And be it enacted, That from and immediately after the granting of the said Certificate all the Monies, Goods, Chattels, Steam and other Engines, Carriages, Waggons, Trucks, Machines, Live and Dead Stock, Shares, Bonds, Deeds, Securities, Books, Writings, Maps, Plans, and other Personal Estate and Effects of or to which the dissolved Companies or either of them were possessed or entitled at Law or in Equity immediately before the granting thereof, shall be vested in and belong to the new Company for their absolute Benefit; and all Persons and Corporations who immediately before the granting of such Certificate owed any Sum of Money to the dissolved Companies or either of them, or to any Person on behalf of the dissolved Companies or either of them, shall after the granting thereof pay the same, together with all Interest, if any, due or to accrue due for the same, to the new Company, and all the Rights and Remedies for enforcing Payment thereof which before the granting of such Certificate belonged to the dissolved Companies or either of them shall, immediately after the granting thereof, devolve upon and be vested in the new Company; and all Monies which immediately before the granting of such Certificate were due and owing by or recoverable from the dissolved Companies or either of them, or for the Payment of which they or either of them were or but for the granting of such Certificate would have been liable shall be paid, with all Interest, if any, due and to accrue due thereon, by or be recoverable from the new Company; and all Conveyances, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before the granting of such Certificate to, with, in favour of, or by or for the dissolved Companies or either of them, or any Person duly authorized on their Behalf, shall immediately after the granting of such Certificate be and remain as good, valid, and effectual in favour of and against and with reference to the new Company, and may be proceeded on and enforced in the same Manner to all Intents and Purposes as if the last-mentioned Company had been a Party to and executed the same, or had been named or referred to therein instead of the Persons, Company, or Party actually named therein respectively.

Matters in dispute referred to Arbitration by dissolved Companies to be valid, and to bind the Company hereby incorporated.

XI. And be it enacted, That every Agreement, Contract, and Bond before the granting of the said Certificate made, executed, or entered into between, by, or on behalf of the dissolved Companies or either of them, and any Person or Persons whomsoever, whereby any Matter in dispute between such dissolved Companies or either of them and such Person or Persons as last aforesaid shall have been referred or agreed to be referred to the Arbitrament or Determination of any Arbitrators or Umpire, shall, immediately after the granting of such Certificate, be and remain as good, valid, and effectual in favour of and against and with reference to the new Company, and may be proceeded on and enforced in favour of or against such new Company, in the same Manner to all Intents and Purposes as if the Matter

in dispute thereby referred or agreed to be referred was Matter in dispute between such new Company and such Person or Persons as aforesaid, and as if such new Company had been named or referred to therein, and had been Party to and executed or entered into the same, instead of the dissolved Company or Companies by or on whose Behalf the same was made, executed, or entered into as aforesaid; and every Award which shall be made after the granting of the said Certificate under or by virtue of any such Agreement, Contract, or Bond shall be made in favour of or against the new Company, and shall be as binding and effectual to all Intents and Purposes, and may be proceeded upon and enforced in favour of or against the new Company, and in favour of or against any Person or Persons with whom the Matter shall be in dispute, in the same Manner in all respects, and to all Intents and Purposes, as it would or might have been with reference to the Company by or with whom such Agreement, Contract, or Bond may have been entered into in case this Act had not been passed, and such Certificate had not been granted.

Contracts to be completed.

XII. Provided also, and be it enacted, That in all Cases in which either of the dissolved Companies previously to the granting of the said Certificate shall, under the Powers or Provisions of any of the recited Acts, have entered into any Contract for the Purchase of or shall have taken or used any Land which at the Time of the granting of such Certificate shall not be effectually conveyed to such Company, or the Purchase Money in respect of which shall not have been duly paid by such Company, then and in every such Case, where the Contract shall be binding on the Parties thereto, or the Party entitled to any Land shall be bound to accept such Purchase Money, such Contract shall be completed, and such Land shall be conveyed to the new Company, or as such new Company shall direct, and such Purchase Money shall be paid and applied pursuant to the Act or Acts under which such Contract shall have been made or such Land shall have been taken or used; and all the Clauses, Provisions, Powers, and Authorities contained in such Act or Acts in relation to the Completion of such Contract, and the Purchase and Conveyance of such Land, and the Payment and Application of the Purchase Money in respect thereof, shall be construed and taken as if the new Company were named in such Act or Acts and Contract respectively instead of the Company which shall have entered into such Contract or taken or used such Land.

Actions, &c. not to abate.

XIII. And be it enacted, That no Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the dissolved Companies, or either of them, previously to the granting of the said Certificate, shall abate or be discontinued or prejudicially affected by this Act or such Certificate, but on the contrary the same shall continue and take effect, both in favour of and against the new Company, in the same Manner in all respects as the same would have continued and taken effect in relation to the dissolved Companies, or either of them, if this Act had not been passed; and all Penalties incurred by reason of any Offence against the Provisions of the said recited Acts or any of them, previously to the granting of the said Certificate, shall and may be sued for, and all Offences which may have

Penalties to be recoverable.

have been committed before the granting of the said Certificate against the Provisions of the said recited Acts or any of them may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been respectively sued for and prosecuted if such Certificate had not been granted, the new Company being, in reference to the Matters aforesaid, in all respects substituted in the Place of the dissolved Companies respectively.

Present Officers to continue till removed.

XIV. And be it enacted, That every Clerk, Agent, Collector, and other Officer who at or immediately before the granting of the said Certificate was in the Service of either of the dissolved Companies, shall immediately after granting of the said Certificate hold and enjoy his Office and Employment, together with the Salary and Emoluments thereunto annexed, until he shall be removed therefrom by the new Company; and every such Clerk, Agent, Collector, and Officer shall have the like Powers and Authorities, and shall be subject and liable to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations, in all respects whatsoever as if he had been appointed by the new Company after the granting of the said Certificate.

Books, &c. to continue to be Evidence.

XV. And be it enacted, That all Books and other Documents whatsoever by the said recited Acts or any of them authorized or directed to be kept, and thereby made Evidence, shall, from and after the granting of the said Certificate, continue to be admitted as Evidence in all Courts of Law and Equity, or elsewhere, against or in favour of the new Company.

Provisions in favour of particular Parties to remain in force.

XVI. And be it enacted, That all Works and Things which, under the Provisions of the said recited Acts or any of them, or any other Act or Acts, the dissolved Companies or either of them were bound, required, empowered, or made or rendered liable to make, construct, complete, or maintain, and all Repairs thereof respectively, and all Regulations and Restrictions which, under the Provisions of the said recited Acts or any of them were imposed upon or required to be observed by the dissolved Companies or either of them, for the Safety, Protection, Accommodation, Convenience, Enjoyment, or Benefit of any Persons and Corporations whose Estates, Properties, or Interests were or might be affected by the making and maintaining of the said Railways, Branch Railways, Extensions, and Works by the said recited Acts or any or either of them authorized to be made for the Protection of such Estates, Properties, and Interests, and for securing the Enjoyment thereof; and all such Payments, annual and in gross, as under the Provisions of the said recited Acts or any of them were required to be made by the dissolved Companies or either of them, or such and so many of the aforesaid Works, Acts, Matters, Things, Regulations, Restrictions, and Payments as the dissolved Companies or either of them would have been bound or liable to construct, complete, maintain, make, do, execute, observe, perform, keep, or pay in case the said Certificate had not been granted shall, from and after the granting of the said Certificate, be constructed, completed, maintained, made, done, executed, observed, performed, kept, and paid by the new Company, as fully, to all Intents and Purposes, and in the same Manner,

Manner, as the same were by the said recited Acts or any of them required to be constructed, completed, maintained, done, executed, observed, performed, kept, and paid by the dissolved Companies or either of them, and as if the several Provisions in the said recited Acts or any or either of them contained in reference thereto respectively had been thereby made applicable to the new Company after the granting of such Certificate as aforesaid.

8 & 9 Vict. cc. 18. and 20. incorporated with this Act.

XVII. And be it enacted, That from and after the granting of the said Certificate the Lands Clauses Consolidation Act, 1845, and the Railways Clauses Consolidation Act, 1845, shall, so far as they are applicable and not inconsistent with this Act, be incorporated with this Act in reference to the Railway authorized to be made by the said recited Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, and shall be held to apply to such Railway in all respects as if the same were authorized to be made by Act of Parliament after the granting of the said Certificate; and all the Provisions of the said Railways Clauses Consolidation Act with respect to the carrying of Passengers and Goods upon the Railway, and the Tolls to be taken thereon, shall also, from and after the granting of the said Certificate, be incorporated with this Act in reference to all the other Railways comprised in the Undertaking of the new Company.

Lands for extraordinary Purposes.

XVIII. And be it enacted, That it shall be lawful for the new Company to purchase any Quantity of Land for extraordinary Purposes connected with the Railway authorized to be made by the said first-recited Act not exceeding in the whole Fifty Acres.

Number and Names of first Directors.

XIX. And be it enacted, That the Number of Directors of the new Company shall be Twenty, and that the first Directors of the new Company shall be the Persons following; (that is to say,) *John Chevallier Cobbold*, *George Alexander*, *Frederick Pratt Barlow*, *George Edward Pratt Barlow*, *William Beresford*, *Samuel Bignold*, *Thomas D'Eye Burroughes*, *John Cobbold*, *William Crake*, *John Footman*, *James Grayston*, *John George Hart*, *William Warwick Hawkins*, *Jeremiah Head*, *William Bulkeley Hughes*, *George Josselyn*, *William May*, *Edward Willett*, *William Stitt Wilson*, and *John Wright*.

Power to increase or reduce Number of Directors.

XX. And be it enacted, That it shall be lawful for the new Company, at any Time after the granting of the said Certificate, to increase or reduce the Number of Directors, provided that the increased Number do not exceed Twenty-four, and that the reduced Number be not less than Fifteen.

Directors to continue in Office until first Ordinary Meeting.

XXI. And be it enacted, That, subject to the Provisions hereinbefore contained for increasing or reducing the Number of Directors, the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting of the new Company to be held after the granting of the said Certificate, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act or any Number of them, or may elect a new

a new Body of Directors to supply the Place of those not continued in Office, the Directors hereby appointed being eligible as Members of such new Body.

Retirement and Election or Re-election of Directors.

XXII. And be it enacted, That at the Third Ordinary Meeting of the new Company to be held after the granting of the said Certificate, and at the First Ordinary Meeting of the new Company to be held in every Year subsequent to that in which the Third Ordinary Meeting of the new Company shall be held, One Third as near as may be of the entire Number of Directors of the new Company shall go out of Office, and the Shareholders then present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions of "The Companies Clauses Consolidation Act, 1845:" Provided always, that in every Case the Directors retiring from Office shall be eligible for Re-election.

Qualification of Directors.

XXIII. And be it enacted, That the Qualification of a Director shall be the Possession in his own Right of Shares or Stock representing not less than One thousand Pounds in the Capital of the new Company.

Quorum of Directors.

XXIV. And be it enacted, That a Quorum of a Meeting of Directors shall be Five.

Auditors.

XXV. And be it enacted, That the Number of Auditors shall be Two, and every Auditor shall have at least the same Number of Shares as shall be required to qualify a Director.

Capital.

XXVI. And be it enacted, That, subject to the Provisions herein contained, the Capital of the new Company shall be One million three hundred and ten thousand Pounds, whereof the Sum of Three hundred and sixty thousand Pounds shall be distributed in Shares amongst the several Persons who at the Time of the granting of the said Certificate may be Shareholders in the said *Eastern Union* Railway Company, rateably in proportion to the Amount of their respective Interests therein, and the Remainder shall be distributed in Shares amongst the several Persons who at the Time of the granting of such Certificate may be Shareholders in the said *Ipswich and Bury Saint Edmunds* Railway Company, rateably and in proportion to their respective Interests therein, or amongst the Executors, Administrators, or Assigns of the said several Persons respectively.

Creation of new Shares.

XXVII. And be it enacted, That it shall be lawful for the Directors of the new Company, so soon as may be practicable after the granting of the said Certificate, to call in all Certificates for Shares theretofore issued by either of the dissolved Companies, and to create such Number of new Shares, and of such Amounts respectively, not exceeding the nominal Value of Twenty-five Pounds for each Share, as will admit of the Distribution of the Capital in manner aforesaid.

Allotment of new Shares.

XXVIII. And be it enacted, That in allotting the new Shares to be created as aforesaid Credit shall be allowed to each of the Shareholders amongst whom the same may be distributed for and in respect

of all Sums paid before the granting of the Certificate of the Commissioners of Railways upon or on account of the Shares held by such Shareholders respectively in the Capitals of either of the dissolved Companies, and the said several Shareholders shall be respectively liable to the new Company for the total aggregate Sums which may have been due and owing by them respectively, or for the Payment of which they may have been respectively liable to either of the dissolved Companies, or which might have been called for by either of such Companies upon or in respect of the total aggregate Number of Shares so held by such Shareholders respectively in the Capital Stock of either of the said Companies at the Time of the granting of such last-mentioned Certificate, but such Shareholders respectively shall not be liable for any greater Sums in respect of the total Number of new Shares which may be allotted to them under the Provisions herein-before contained than the aggregate Amount so due and owing by them respectively, or for which they were respectively liable as aforesaid.

Old Shares of less Value than 25*l.* may be consolidated into new Shares of 25*l.* each.

XXIX. And be it enacted, That it shall be lawful for the said Directors, in the Creation and Allotment of new Shares to be allotted in lieu of the old Shares in the dissolved Companies, to consolidate any Number of the said old Shares, being respectively of less nominal Value than Twenty-five Pounds, into One or more new Shares of the nominal Value of Twenty-five Pounds, and to declare what Proportion of the Calls due by any Shareholder in either of the dissolved Companies, or the Sums for which such Shareholder was liable in respect of the Shares held by him at the Time of the granting of such Certificate as aforesaid, shall be due and owing or payable in respect of the respective new Shares to be created as aforesaid, but so nevertheless as that the Shareholders to whom such new Shares shall be allotted shall not be thereby rendered liable for the Payment of Calls for greater Amount or payable at earlier Periods than they respectively might have been required to pay on the original Shares held by them at the Time of the granting of such Certificate.

Calls.

XXX. And be it enacted, That Two Pounds Ten Shillings shall be the greatest Amount of any one Call which the new Company may make in respect of the new Shares to be allotted by them as aforesaid, and no Two successive Calls shall be made at less Intervals than Three Months.

Power to enforce Calls on Shares in dissolved Companies where Capital not as yet called up.

XXXI. And be it enacted, That the Directors of the new Company shall have and they are hereby invested with all such and the same Powers, Rights, and Remedies for making Calls and obtaining and enforcing the Payment of such Monies as may be or become due from the several Holders of the new Shares to be created as aforesaid in respect of Calls, whether by Action, Forfeiture, or otherwise, as are by the "Companies Clauses Consolidation Act, 1845," provided with respect to the Payment of Subscriptions, and the Means of enforcing the Payment of Calls, and also with respect to the Forfeiture of Shares for Nonpayment of Calls.

XXXII. And

Calls to be made on the Eastern Union Railway Shares.

XXXII. And be it enacted, That the new Company shall call up so much of the Capital as shall remain unpaid in respect of Shares in the said *Eastern Union* Railway Company at the Time of the granting of the said Certificate, and as may become due on the new Shares to be allotted in respect of such Capital, at the earliest Period at which the said *Eastern Union* Railway Company could, but for the passing of this Act, have called up the same.

For consolidating the new Shares of the Company.

XXXIII. And be it enacted, That it shall be lawful for the new Company from Time to Time, after the granting of the said Certificate, with the Consent of the respective Proprietors of such Shares, to convert or amalgamate such Number of the Shares hereby authorized to be created, of or belonging to the said Proprietors respectively, as may be respectively of less nominal Value than Twenty-five Pounds, but as shall together be of the nominal Amount or Value of Twenty-five Pounds or upwards, into One Share or more of the nominal Value of Twenty-five Pounds each, and to give to such Proprietors respectively Certificates for such Twenty-five Pounds Shares in lieu of the Certificates of the new Shares which may have been so converted or amalgamated as aforesaid; and after Two Thirds in Number of the new Shares hereby authorized to be created, and which may be respectively of less nominal Value than Twenty-five Pounds, shall have been so converted into Twenty-five Pounds Shares, it shall be lawful for the new Company to refuse to issue any separate Certificates in respect of new Shares belonging to any One Proprietor of less nominal Value respectively than Twenty-five Pounds, but which shall together be of the nominal Amount or Value of Twenty-five Pounds or upwards, but in lieu thereof, and on any Deed or Conveyance transferring the same being presented for Entry or Registration, to convert the said new Shares, or so many of them as they shall think proper, into a corresponding Amount of Twenty-five Pounds Shares, and to enter a Memorial thereof in a Book kept for that Purpose; and the said new Company, or some Person duly authorized by them, may indorse the Entry of such Memorial on the said Transfer, and grant a Certificate thereof in place of the Indorsement, Memorial, and Certificate which might otherwise be required to be made and given on the Certificates of the Shares so consolidated.

As to the Division of Profits.

XXXIV. And be it enacted, That the Profits of the new Company shall be divided among the several Proprietors of Shares of and in the Capital of such Company in the Proportions following; that is to say, the Proprietors of Shares issued in respect of Shares in the *Eastern Union* Railway Company shall receive Thirty Shillings *per* Share for every Twenty Shillings *per* Share which the Proprietors of Shares issued in respect of Shares in the *Ipswich and Bury Saint Edmunds* Company shall receive.

New Stock and Shares to be held on the subsisting Trusts.

XXXV. And be it enacted, That every Person in whom any One or more of the Shares of and in the Capital of the new Company is or may become vested under the Provisions herein contained in lieu of the Shares held by such Person in either of the dissolved Companies, shall stand and be possessed of every such Share upon the same Trusts

Trusts and for the same Purposes, and under and subject to the same Powers, Provisions, Declarations, and Agreements, Liens, Charges, and Incumbrances respectively, as the Shares in the dissolved Company in lieu or in respect of which the Shares in the new Company may be given as aforesaid were immediately before the granting of the said Certificate held upon and subject or liable to, and so as to give effect to and not revoke any Will or testamentary Disposition affecting such original Share or Shares, and made previous to the granting of such Certificate; provided that the new Company shall not be bound to take notice of, nor shall they be in anywise charged or affected, by any dealing with or Disposition of any Shares, or any Interest therein, otherwise than by means of Transfers duly stamped and executed and recorded in the Books of the new Company.

New Register and Certificates.

XXXVI. And be it enacted, That the new Company shall, as soon as conveniently may be after the granting of the said Certificate enter in the Register of Shareholders directed to be kept by "The Companies Clauses Consolidation Act, 1845," the several Amounts and Numbers of Stock and Shares respectively to which the several Shareholders of the dissolved Companies shall have become entitled under this Act of and in the Capital of the new Company, and the Sums paid or declared to be paid thereon.

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

XXXVII. And be it enacted, That it shall not be lawful for the said Companies or any of them, out of any Money by this Act or any other Act relating to the said Railway Companies or any of them 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 Purpose of obtaining an Act authorizing the said Companies or any of them to construct any other Railway or execute any other Work or Undertaking.

General Meetings of Company.

XXXVIII. And with respect to the General Meetings of the new Company, be it enacted, That the first General Meeting of the said Company shall be held within Six Months after the granting of the said Certificate, and the subsequent General Meetings of the Company shall be held half-yearly, on the First Day of *February* and the First Day of *August* in each Year, or within One Month before or after those Days respectively, and the Meetings so appointed to be held as aforesaid shall be called Ordinary Meetings, and all Meetings, whether ordinary or special, shall be held at such Place as the Directors shall appoint.

Quorum of Meeting.

XXXIX. And be it enacted, That in order to constitute a Meeting, whether ordinary or special, there shall be present, either personally or by Proxy, Twenty or more Shareholders holding in the aggregate Shares to the nominal Amount of Twenty-five thousand Pounds.

Scale of voting.

XL. And be it enacted, That at all General Meetings of the new Company every Shareholder shall be entitled to vote according to the

Scale of voting herein-after mentioned; (that is to say,) every Shareholder possessing any Number of Shares representing in the aggregate the Sum of Five hundred Pounds of the Capital of the Company, or less than that Sum, shall have One Vote in respect of each Twenty-five Pounds thereof, and every Shareholder possessing any Number of Shares representing in the aggregate more than the Sum of Five hundred Pounds of the said Capital shall have One Vote for every One hundred Pounds represented by such Shares above Five hundred Pounds, and in addition to the Twenty Votes to which he shall be entitled in respect of such Sum of Five hundred Pounds: Provided always, that no Shareholder shall be entitled to vote at any Meeting unless all the Calls, if any, due upon the Shares then held by him shall have been paid.

Power to borrow on Mortgage when further Part of Capital paid up.

XLI. And be it enacted, That after the granting of the said Certificate, and after One Half of the Capital of the new Company shall have been paid up, it shall be lawful for the said Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, not exceeding in Amount, together with any other Sums of Money which may at the Time be due or owing from them on Mortgage or Bond, One Third Part of the Capital of the Company; and it shall not be lawful for the said Company, by virtue of the Powers of this Act, to continue on Mortgage at any One Time any greater Sum than would amount to the said Proportion of such Capital.

Old Mortgages, &c. to have Priority.

XLII. Provided always, and be it enacted, That all Mortgages, Bonds, and other Securities created under the Powers of the said recited Acts or any of them shall, during the Continuance thereof respectively, have Priority over any Security to be granted under the Powers of this Act.

Mode of recovering Principal and Interest in arrear.

XLIII. And in order to provide for the Recovery of the Arrears of Interest and Costs, or of the Principal and Interest and Costs, of any such Mortgage or Bond as may have been or may be granted by either of the dissolved Companies, or by the new Company, at the respective Times at which such Interest or such Principal and Interest and Costs become due, be it enacted, That if such Interest or any Part thereof shall for Thirty Days after the same shall have become due, and Demand thereof shall have been made in Writing, remain unpaid, the Mortgagee or Bond Creditor may either sue for the Interest so in arrear by Action of Debt in any of the Superior Courts, or he may require the Appointment of a Receiver, according to the Provisions in that Behalf contained in the said Companies Clauses Consolidation Act.

Certain new Shares to be offered to Shareholders in Ipswich and Bury St. Edmunds Railway Company.

XLIV. And whereas by the said Two recited Acts relating to the said *Ipswich and Bury Saint Edmunds* Railway Company the last-named Company were authorized to borrow on Mortgage the respective Sums of One hundred and thirty-three thousand three hundred and thirty-three Pounds, and One hundred and eighty-three thousand three hundred and thirty-three Pounds, when and as in such Acts respectively provided

provided and declared, and the same Company were also authorized, if they should so think fit, to create new Shares to the Extent of Three hundred and sixteen thousand six hundred and sixty-six Pounds in lieu of borrowing the said Sums or either of them, or for paying off the same if borrowed: And whereas no Part of the said Sum of Three hundred and sixteen thousand six hundred and sixty-six Pounds has been raised by the Creation of new Shares, but the Sum of One hundred and thirty-three thousand three hundred and thirty-three Pounds, Part thereof, has been borrowed under the Powers contained in the said first-recited Act relating to the *Ipswich and Bury Saint Edmunds* Railway Company: Be it enacted, That if after having borrowed the Sum of Three hundred and sixteen thousand six hundred and sixty-six Pounds, or any Part thereof, under the Powers of borrowing herein-before contained, the new Company shall capitalize the Amount so borrowed, or any Part thereof, the Shares thereby created shall in the first instance be offered to the several Persons who at or immediately before the granting of the said Certificate were Holders of Shares in the said *Ipswich and Bury Saint Edmunds* Railway Company, or to the Assignees or Representatives of such Persons, in proportion to the Number of such last-mentioned Shares, or of Shares issued in lieu thereof, held by them respectively at the Time of the Creation of such new Shares; and such Offer shall be made by Letter under the Hand of the Secretary and given to or sent by Post to each such Shareholder according to his Address in the Shareholders Address Book: Provided always, That if any such Shareholder shall fail for One Month after such Offer to accept the new Shares so offered him, or to pay the Instalments from Time to Time called for in respect thereof, it shall be lawful for the Directors of the new Company to distribute and appropriate the same in such Manner as they may deem to be most advantageous to the general Interests of the Proprietary.

Power to pay Interest in lieu of Dividends until Line opened to Norwich.

XLV. And be it enacted, That in case the said Certificate shall be granted before the Thirty-first Day of *December* One thousand eight hundred and forty-eight, it shall be lawful for the new Company from Time to Time, until the Railway to *Norwich* authorized to be made by the fifthly recited Act shall have been completed and opened for Goods and Passengers, or until the Thirty-first Day of *December* One thousand eight hundred and forty-eight, whichever shall first happen, to pay Interest to the Shareholders in the same Proportions in which the Profits of the Company are herein-before directed to be divided, not exceeding the Rate of Five Pounds *per Centum per Annum* to the Holders of Shares in the *Ipswich and Bury Saint Edmunds* Railway Company on the Amount from Time to Time paid up; and the net Income which may accrue to the new Company during such Period, so far as the same will extend, after Payment of the Expences attending the working of so much of the said Undertaking as may be completed and in use, shall be applied in and towards the Payment of such Interest, and the Sum requisite to make up the Remainder of such Interest may be appropriated out of the Capital of the new Company: Provided always, that if such net Income as aforesaid shall be more than sufficient to pay the said Amount of Interest, the same shall be divided and appropriated

amongst

amongst the said Shareholders in the Proportions aforesaid; provided also, that no Interest shall accrue to the Proprietor of any Share upon which any Call shall be in arrear in respect of such Share or any other Share to be holden by the same Proprietor during the Period while such Call shall remain unpaid.

Power for Company to proceed with Bills or Oppositions announced by either of the dissolved Companies.

XLVI. And whereas certain Bills are now pending before Parliament, some of which have been introduced and promoted, and others petitioned against, by one or other of the dissolved Companies; be it enacted, That it shall be lawful for the new Company to proceed with all such of the said Bills as have been introduced by either of the said dissolved Companies, and to proceed with and prosecute the Opposition to all such of the said Bills as have been petitioned against by either of the dissolved Companies which shall have introduced such Bill or preferred such Petition, as fully and effectually to all Intents and Purposes as if the new Company had originally in their own Name introduced such Bills or presented such Petitions, and not the dissolved Company which shall have actually introduced such Bills or presented such Petitions.

Powers conferred on Eastern Union and Ipswich and Bury St. Edmund's Railway Companies to be vested in present Company.

XLVII. And be it enacted, That in the event of any pending Bills or any other Act or Acts conferring or purporting to confer Powers, Rights, or Privileges on either of the dissolved Companies, or rendering or purporting to render them or either of them subject to any special Provisions or Restrictions, being or having been passed into Law in the present Session of Parliament, then and in such Case all the Powers, Rights, and Privileges which may be nominally conferred by any such Bill or Bills, Act or Acts, on either of the dissolved Companies, shall from and after the granting of the said Certificate become vested in the new Company, and shall and may be exercised and enjoyed by the said last-mentioned Company as fully and effectually to all Intents and Purposes as if such Powers, Rights, and Privileges had been directly granted to or conferred on such Company; and such additional Capital as by such Powers or any of them shall or may be authorized to be raised shall, from and after the granting of the said Certificate, be raised by the new Company, and shall be added to and form Part of the Capital of such Company, but subject nevertheless to all such Provisions and Restrictions as may be contained in such Bill or Bills, Act or Acts, and thereby made applicable to the dissolved Companies or either of them, whether with reference to the Distribution of the Capital which may be thereby authorized to be raised, or otherwise howsoever.

Tolls.

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

Tonnage on Articles of Merchandize.

1. In respect of the Tonnage of all Articles conveyed upon the Railway or any Part thereof, as follows:—

For all Dung, Compost, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company

pany, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron, Bar Iron, Rod Iron, or other Articles of Merchandize, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Sheet Iron, Hoop Iron, and all similar Descriptions of Wrought Iron, not exceeding One Penny Halfpenny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny:

For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Stones, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile Two-pence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding Three Farthings:

For all Cotton, Wools, Drugs, manufactured Goods, and all other Wares, Merchandize, Fish, Articles, Matters, or Things, *per* Ton *per* Mile not exceeding Two-pence Halfpenny; 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, and 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, *per* Mile not exceeding Four-pence:

And a Sum of Two-pence *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 Two-pence:

Tolls for Passengers or Cattle.

2. In respect of Passengers and Animals conveyed in Carriages upon the Railway, as follows;—

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

For every Horse, Mule, Ass, or other Beast of Draught or Burden, *per* Mile not exceeding Three-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny;

For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding Two-pence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny:

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

Tolls for propelling Power.

XLIX. And be it enacted, That the Toll which the Company may demand for the Use of Engines for propelling Carriages on the Railway

way shall not exceed 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.

Regulations as to the Tolls.

L. And be it enacted, 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 Six Miles, the Company may demand Tolls and Charges as for Six Miles:

For a Fraction of a Mile beyond Six Miles, or beyond any greater Number of Miles, the Company may demand Tolls and Charges as for One 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, or Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and Articles of great Weight.

LI. And with respect to small Packages and single Articles of great Weight, be it enacted, That the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels, (that is to say, Parcels not exceeding Five hundred Pounds Weight each,) the Company may demand any Sum which they think fit: Provided always, that Articles 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 Terms shall apply only to single Parcels in separate Packages:

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 from Time to Time may think fit, not exceeding Sixpence *per* Ton *per* Mile:

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

Maximum Rates of Charges for Passengers.

LII. And be it enacted, That the maximum Rates of Charges 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 Expence incidental to such Conveyance, except Government Duty, shall not exceed the following Sums; (that is to say,)

For every Passenger conveyed in a First-class Carriage, the Sum of Two-pence Halfpenny *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.

For Cattle, Goods, &c.

And with respect to the Conveyance of Horses, Cattle, Carriages, and Goods, the maximum Rates of Charges to be made by the Company, including the Tolls for the Use of Railway and Waggons or Trucks, and locomotive Power, and every Expence incidental to such Conveyance, (except Government Duty as aforesaid, and except a reasonable Sum for loading, covering, and unloading of Goods, and for Delivery and Collection, and any other Services usually performed by Carriers, where such Services or any of them shall be performed by the Company,) shall not exceed the following Sums;

For every Horse, Mule, Ass, or other Beast of Draught or Burden, the Sum of Four-pence *per* Mile:

For every Ox, Cow, Bull, or Head of Neat Cattle, the Sum of Two-pence *per* Mile:

For every Calf, Pig, Sheep, or other small Animal, Three Farthings *per* Mile:

For every Carriage, the Sum of Five-pence *per* Mile:

For Coal, One Penny *per* Ton *per* Mile:

For all Dung, Compost, Salt for agricultural Purposes, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of public Roads or Highways, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Clay, Sand, Ironstone and Iron Ore, Pig Iron and Bar Iron, the Sum of One Penny and One Eighth of a Penny *per* Ton *per* Mile:

For all Sugar, Salt for Domestic Purposes, Grain, Corn, Flour, Hides, Dyewoods, Manchester Packs, Earthenware, Timber, Staves, and Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, the Sum of Two-pence Halfpenny *per* Ton *per* Mile:

For all Cotton and other Wools, Drugs, and other manufactured Goods the Sum of Three-pence *per* Ton *per* Mile:

For Sheet Iron, Hoop Iron, and all similar Descriptions of Wrought Iron, Two-pence *per* Ton *per* Mile:

For Fish, Feathers, Canes, Cochineal, Household Furniture, Hats, Shoes, Toys, and all other Articles, Matters, and Things, the Sum of Three-pence Halfpenny *per* Ton *per* Mile.

And the following Regulations shall apply to such maximum Rates and Charges:

The Company shall be at liberty to fix a minimum Charge of Ten Shillings to be taken for each Carriage, and of Five Shillings for every Horse, conveyed upon the Railway, notwithstanding the Charge for the Distance for which such Carriage or Horses respectively may be conveyed according to the Rates aforesaid may not amount to those Sums:

When Waggons are not provided by the Company for the Conveyance of Coal and the other Articles classed therewith, but by the Parties sending the same, a Reduction of One Eighth of a Penny *per* Ton *per* Mile shall be made from the before-mentioned Rates:

Provided

Provided always, that when Coal, or any of the Articles classed therewith, shall be carried along the Railway for a less Distance than Fifteen Miles, it shall be lawful for the Company to charge an additional Halfpenny *per* Ton *per* Mile in respect thereof.

Passengers Luggage.

LIII. And be it enacted, That every Passenger travelling upon any of the said Lines of Railway in a First-class Carriage may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight, and every Passenger travelling in a Second-class Carriage may take with him his ordinary Luggage, not exceeding Sixty Pounds in Weight, and every Passenger travelling in a Third-class Carriage may take with him his ordinary Luggage, not exceeding Forty Pounds in Weight, without any Charge being made for the Carriage.

Restriction as to Charges not to apply to Special Trains.

LIV. Provided always, and be it enacted, That the Restriction as to the Charges to be made for Passengers shall not extend to any special or extra Trains that may be required to run upon the said Railway, but shall apply only to the ordinary Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the said Railway.

Company may take increased Charges by Agreement.

LV. Provided always, and be it enacted, That nothing herein contained shall be held to prevent the new 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 thereof by Passenger or other Trains, or by reason of any other special Service performed by the Company in relation thereto.

Powers of Amalgamation not to be exercised without Certificate.

LVI. Provided always, and be it enacted, That it shall not be lawful for the said Companies respectively, by virtue of the Provisions herein-before contained, to enter into and conclude the Amalgamation of the said Companies hereby authorized as aforesaid, unless it shall have been proved to the Satisfaction of the Commissioners of Railways, and certified by them under their Seal, previously to the Completion of such Amalgamation, that One Half of the whole Amount of the Capital, exclusive of Loans, by the Act or Acts relating to each of the said Companies authorized to be raised, has been actually paid up and expended for the Purposes authorized by such Act or Acts respectively.

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., and 9 & 10 Vict. cc. 57. & 105.

LVII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for Conveyance of the Mails by Railway;* and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of 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 Two other Acts were passed in the last Session of Parliament, one thereof intituled *An Act for regulating the Gauge of Railways*, and the other *An Act for constituting Commissioners of Railways*; be it enacted, That nothing in this Act contained shall be held to exempt the herein-before mentioned Railways or any of them, or the Company hereby incorporated, from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Company so far as the same shall be applicable thereto.

Railway to be subject to Provisions of any future general Act.

LVIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways and Works by the said recited Acts or by this Act authorized to be made and completed from the Provisions of any general Act relating to such Acts respectively, or of any general Act relating to Railways which may 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 authorized by this Act.

Expences of Act.

LIX. And be it enacted, That all Costs, Charges, and Expences connected with the passing of this Act shall be paid by the dissolved Companies, or the Directors thereof, out of the first Monies which shall come to their Hands after the passing thereof.

Public Act.

LX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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