

ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

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Stock, divided into Class A Stock consisting of Eighty-six thousand six hundred and forty Pounds Five Pounds *per Centum* Preference Stock, and Nine thousand seven hundred and eighty Pounds Seven Pounds *per Centum* Preference Stock, Class B Stock consisting of One hundred and twenty thousand Pounds Six Pounds *per Centum* Preference Stock, Class C Stock consisting of Seventy thousand eight hundred and seventy-three Pounds Ten Shillings Seven Pounds *per Centum* Preference Stock, (which Stocks are herein-after respectively called "A Stock, B Stock, and C Stock,") and One million thirty-three thousand six hundred and six Pounds Ten Shillings ordinary Stock; and the A Stock, B Stock, and C Stock were by the said Act made Stocks of the Company, entitled to fixed Dividends of the same Amount as the preferential Dividends prior to the Amalgamation, and the said ordinary Stock (herein-after called "*East Anglian* Stock") was made Stock of the Company, and entitled from and after the First Day of *January* One thousand eight hundred and sixty-three to fixed Dividends at the Rate of One Pound *per Centum per Annum*, and such contingent Increase of Dividend as is herein-after mentioned; that is to say, if and whenever for any Half Year ending the Thirtieth Day of *June* or Thirty-first Day of *December* after the First Day of *January* One thousand eight hundred and sixty-three the Company should declare upon the ordinary Stock a Dividend exceeding the Rate of Three Pounds *per Centum per Annum*, the Proprietors of *East Anglian* Stock should receive an Increase of Dividend equal to Two Fifths of the Amount of the Dividend exceeding Three Pounds *per Centum per Annum* which should be so declared upon the ordinary Stock of the Company: And whereas the Payment of the fixed Dividends on the A Stock, B Stock, C Stock, and *East Anglian* Stock was by the said Act charged upon the Revenues of the Company in priority to the Payment of the Dividends on all other guaranteed and Preference Stocks of the Company, except a certain Stock of small Amount called "the *Newmarket and Bury* Stock:" And whereas the Value of the *East Anglian* Stock would be improved if the same were divided into Two Classes of Stock, one thereof (herein-after called "*East Anglian* No. 1 Stock") entitled to fixed Dividends at the Rate of Five Pounds *per Centum per Annum*, and the other entitled to Dividends equal to the contingent Increase of Dividend on the *East Anglian* Stock, and the A Stock, B Stock, C Stock, and *East Anglian* No. 1 Stock, or some of them, would be improved in Value if they were consolidated into One Class of Stock, and One uniform Rate of Dividend were attached thereto in lieu of the various Rates of Dividend now payable on such several Stocks, and the Dividends upon such several Stocks do not exceed Twenty-seven thousand five hundred and fourteen Pounds *per Annum*: And whereas by "The *Waveney Valley* Railway Act, 1851," "The *Waveney Valley* Railway Extension Act, 1853," "The *Waveney Valley* Railway Act, 1855," "The *Waveney Valley* Railway Amendment Act, 1856," and "The *Waveney Valley* Railway Acts, 1859, 1860, and 1861," the *Waveney Valley* Railway Company

14 & 15 Vict. c. lxvi.
16 & 17 Vict. c. cxliv.
18 & 19 Vict. c. clvii.

Company was incorporated and authorized to make Railways forming a continuous Line of Railways from the *Great Eastern* Railway at *Tivetshall* in *Norfolk* to the *Great Eastern* Railway at *Beccles* in *Suffolk* (herein-after called the "*Waveney Valley* Railway"), and to raise One hundred and twenty thousand Pounds by the Creation of Twenty-five Pound Shares, with Power to re-issue forfeited Shares with preferential Dividend not exceeding Five Pounds *per Centum per Annum* on the Amount for the Time being paid thereon, and to borrow Forty thousand Pounds on Mortgage of their Undertaking, and to convert their Mortgage Debt, or any Part thereof, into Debenture Stock: And whereas the *Waveney Valley* Railway is completed and open for public Traffic, and the *Waveney* Railway Company have raised and expended upon their Undertaking the whole of the said Sums of One hundred and twenty thousand Pounds and Forty thousand Pounds, and their Capital consists of One thousand two hundred Preference Shares of Twenty-five Pounds each, entitled to preferential Dividend at the Rate of Five Pounds *per Centum per Annum*, and Three thousand six hundred ordinary Shares of Twenty-five Pounds each, whereof Two thousand formerly belonging to the *Eastern Union* Railway Company are vested in the Company, and the Mortgage Debts of the *Waveney Valley* Railway Company amount to Forty-thousand Pounds, and they have not created any Debenture Stock: And whereas by "The *Lynn and Hunstanton* Railway Act, 1861," the *Lynn and Hunstanton* Railway Company were incorporated and authorized to make a Railway from the *East Anglian*, now *Great Eastern*, Railway at *King's Lynn* to *Hunstanton* in the County of *Norfolk*, and such Railway is completed and opened for public Traffic: And whereas by "The *Bishop Stortford, Dunmow, and Braintree* Railway Act, 1861," the *Bishop Stortford, Dunmow, and Braintree* Railway Company was incorporated, and authorized to make a Railway from the *Northern and Eastern* Railway at *Bishop Stortford* in the County of *Hertford* to the *Eastern Counties* (now *Great Eastern*) Railway at *Braintree* in the County of *Essex*, with a Branch in the Parish of *Dunmow*, and such Railway is now in course of Construction: And whereas the Company and the *Waveney Valley* Railway Company have agreed, subject to the Approval of Parliament, that the Undertaking of the *Waveney Valley* Railway Company should be amalgamated with the Undertaking of the Company, and it is expedient that such Amalgamation should be effected, and that Provision should be made for vesting the Undertaking of the *Lynn and Hunstanton* Railway Company in the Company by Amalgamation or Sale, and that the Company should be authorized to guarantee Dividends and Interest upon all or any Shares, Stock, or Mortgages of the *Lynn and Hunstanton* Railway Company, and *Bishop Stortford, Dunmow, and Braintree* Railway Company, or either of them, or upon all or any Sums which the last-mentioned Companies, or either of them, are or may be authorized to raise by the Creation of Shares or Stock or by Mortgage: And whereas an Agreement dated the Twenty-ninth

19 & 20 Vict. c. cxxix.
22 & 23 Vict. c. cxv.
23 & 24 Vict. c. clvii.
24 & 25 Vict. c. clxxi.
24 & 25 Vict. c. cxcix.
24 & 25 Vict. c. clxxxii.

ninth Day of *July* One thousand eight hundred and sixty-two was made between the *Eastern Counties* Railway Company (One of the Companies amalgamated by the recited Act) of the First Part, the *Eastern Union* Railway Company (another of the Companies amalgamated by the recited Act) of the Second Part, and certain Trustees of the Third Part, and such Agreement is set forth in the Schedule (B.) to this Act, and it is expedient that the said Agreement should be confirmed: And whereas it is expedient that the Company should be authorized to purchase a certain Field in *West Ham* in the County of *Essex* for Station Purposes, and to raise a further Sum of Money by the Creation of Shares and by Mortgage: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Company to redeem Stocks otherwise than at Par.

1. So much of the recited Act as restricts or prevents the Company from redeeming all or any Classes of the Preference Creditors or guaranteed Stocks in their Capital otherwise than at Par shall not apply to such of the said Stocks as are entitled to preferential or guaranteed Dividends at the Rate of Five Pounds *per Centum per Annum*, or at any higher Rate: Provided that the total Amount of the preferential or guaranteed Dividends to be attached to the Stock to be given in exchange for any such redeemed Stock shall be less than the Dividends on such redeemed Stock prior to the Redemption thereof; and that any Increase in the nominal Amount of the Company's Capital which may be occasioned by the Redemption of the said Stocks shall not be reckoned as Part of such Capital in estimating any Amount which the Company may hereafter be authorized to borrow on Mortgage.

Power to Company, on the Requisition of East Anglian Proprietors adopted at a Meeting of such Proprietors, to divide East Anglian Stock into Two Classes.

2. The Company, on the Requisition of the *East Anglian* Proprietors adopted at a Meeting of such Proprietors convened and held in the same Manner as is prescribed by the recited Act with respect to Meetings for the Appointment of an *East Anglian* Director, by not less than Three Fourths of the Votes of the Proprietors present, in person or by proxy, at such Meeting, may divide the *East Anglian* Stock into Classes hereinafter respectively called "*East Anglian* No. 1 Stock" and "*East Anglian* No. 2 Stock;" and the "*East Anglian* No. 1 Stock" shall amount to Two hundred and six thousand seven hundred and twenty-one Pounds Six Shillings, and the "*East Anglian* No. 2 Stock" shall amount to Eight hundred and twenty-six thousand eight hundred and eighty-five Pounds Four Shillings.

Vesting Stock in old Proprietors.

3. Every Proprietor of *East Anglian* Stock at the Time of such Division shall for every Ten Pounds of such Stock to which he is entitled be entitled to Two Pounds of the *East Anglian* No. 1 Stock and Eight

Eight Pounds of the *East Anglian* No. 2 Stock, and so in proportion for any fractional Part of Ten Pounds of *East Anglian* Stock held by such Proprietor; and such No. 1 Stock and No. 2 Stock shall vest in every such Proprietor accordingly, subject and liable to the same Trusts, Powers, Provisions, Declarations, Agreements, Charges, and Incumbrances as the *East Anglian* Stock for which it is substituted, and so as to give effect to and not revoke any Will or Testamentary Disposition of or affecting such *East Anglian* Stock.

Dividends on Stocks.

4. Every Proprietor of *East Anglian* No. 1 Stock shall be entitled to fixed Dividends thereon at the Rate of Five Pounds *per Centum per Annum* on the Amount thereof, and to no further Participation in the Profits of the Company; and every Proprietor of *East Anglian* No. 2 Stock shall be entitled to such Dividend thereon as is herein-after mentioned; that is to say, if and whenever in any Half Year ending the Thirtieth Day of *June* or Thirty-first Day of *December* the Dividends declared upon the ordinary Stock of the Company shall exceed the Rate of Three Pounds *per Centum per Annum*, the Proprietors of the *East Anglian* No. 2 Stock shall be entitled to a Dividend thereon equal to One Half of the Amount of Dividend exceeding Three Pounds *per Centum per Annum* which shall be so declared upon the ordinary Stock of the Company.

Company may consolidate A Stock, B Stock, C Stock, and East Anglian No. 1 Stock, with Consent of Proprietors of Stock.

5. The Company, with the Consent of all the Proprietors of the A Stock, B Stock, C Stock, and *East Anglian* No. 1 Stock respectively, or of any Two or more of such Stocks, may consolidate the said several Stocks, or such of them in respect of which such Consent has been given, into One Class of Stock, and in lieu of the preferential Dividends now payable on those Stocks may attach to the consolidated Stock an uniform Amount of Dividend at such Rate *per Centum per Annum* as they may think fit: Provided that the total Amount payable by way of Dividend upon such consolidated Stock shall be less than the total Amount payable by way of fixed Dividend on the said several Stocks before the Consolidation, and that any Increase in the nominal Amount of the Company's Capital which may be occasioned by such Consolidation shall not be reckoned as Part of such Capital in estimating any Amount which the Company may hereafter be authorized to borrow on Mortgage.

Division of consolidated Stock amongst Proprietors of several Stocks.

6. After such Consolidation of Stock as aforesaid the Company shall divide and allot the consolidated Stock amongst the Proprietors of the Stocks consolidated in such Shares and Proportions as shall secure to each Proprietor the same Amount of fixed Dividend, as near as may be, on the consolidated Stock as he was entitled to on any of the Stocks consolidated held by him, and the consolidated Stock shall vest in such Proprietors respectively upon and subject to the same Trusts, Powers, Provisions, Declarations, Agreements, Charges, and Incumbrances as the

Stock consolidated in respect of which it was allotted, and so as to give effect to and not revoke any Will or Testamentary Disposition of or affecting such Stock consolidated.

8 & 9 Vict. c. 18. and Parts of 8 & 9 Vict. c. 16. incorporated.

7. "The Lands Clauses Consolidation Act, 1845," and the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Payment of Subscriptions and the Means of enforcing Payment of Calls, and with respect to the Forfeiture of Shares for Nonpayment of Calls, and with respect to the Remedies of Creditors of the Company against the Shareholders, and with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Conversion of the borrowed Money into Capital, and with respect to the Consolidation of Shares into Stock, and with respect to the Provision for affording Access to the Special Act, are hereby incorporated with this Act.

Waveney Valley Railway Company dissolved and amalgamated with Undertaking Company.

8. The *Waveney Valley* Railway Company is hereby dissolved, and their Undertaking is hereby amalgamated with and shall form Part of the Undertaking of the Company, and the Company shall and are hereby declared to be seised and possessed of and entitled to all the Buildings and Works of every Description, and all the Lands, Tenements, Hereditaments, Goods, Chattels, Debts, Estate and Effects whatsoever, real and personal, whereof the *Waveney* Railway Company were seised or possessed or were entitled to immediately before the Amalgamation.

Waveney Valley Railway Acts repealed.

9. "The *Waveney Valley* Railway Act, 1851," "The *Waveney Valley* Railway Extension Act, 1853," "The *Waveney Valley* Railway Act, 1855," "The *Waveney Valley* Railway Amendment Act, 1856," and "The *Waveney Valley* Railway Acts, 1859, 1860, and 1861," are hereby repealed.

Certain Sections of repealed Acts as in Schedule continued in force.

10. The several Sections and Provisions of "The *Waveney Valley* Railway Act, 1860," set forth in the Schedule (A.) to this Act, shall, notwithstanding the Repeal of that Act, continue in full Force so far as the same were in force and capable of being exercised or acted upon immediately before the passing of this Act; and such Sections and Provisions shall respectively have the same Interpretation and Operation as they would have had if the said Act had not been repealed, and shall be binding upon the Company as representing the *Waveney Valley* Railway Company, and all Persons bound thereby or liable thereunder, to the same Extent as if this Act had not been passed; and all Acts, Agreements, Matters, and Things made or done thereunder, or by virtue or in pursuance thereof, or which may have been confirmed or sanctioned thereby, shall be unaffected by the passing of this Act, and shall be binding upon the Company instead of the *Waveney Valley* Railway Company,

Company, and all other Persons bound thereby or liable thereunder, to the same Extent as if this Act had not been passed.

Conveyances, &c. to remain in force.

11. All Purchases, Sales, Conveyances, Assignments, Leases, Mortgages, Bonds, Contracts, Agreements, and all Securities and Calls upon Shareholders, and all other Acts and Things, made, done, entered into, executed, or instituted under or by virtue or in consequence of or confirmed by the Acts relating to the *Waveney Valley* Railway Company, or any of them, or with reference to any of the Purposes thereof, shall, notwithstanding such Repeal, be as good, valid, and effectual to all Intents and Purposes as they would have been if the said Acts had not been hereby repealed, and may be proceeded on and enforced accordingly, the Company being in all respects with reference to such Matters substituted for the *Waveney Valley* Railway Company.

Mortgages to retain their Priority.

12. Notwithstanding the passing of this Act or anything therein contained, all Mortgages or Bonds granted by the *Waveney Valley* Railway Company, and existing at the Time of the passing of this Act, shall during the Continuance thereof have the same Priority (if any) amongst themselves, and the same Lien and Charge upon or in respect of the Undertaking by this Act amalgamated with the Undertaking of the Company, or upon or in respect of any Shares or Stock of the *Waveney Valley* Railway Company or by this Act substituted for or authorized to be created in lieu of any such Shares, or otherwise howsoever, as if this Act had not been passed.

Continuance of Liabilities of Waveney Valley Railway Company.

13. Notwithstanding the Amalgamation and the Repeal of the recited Acts relating to the *Waveney Valley* Railway Company, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done and suffered under or confirmed by any Provision of the said hereby repealed Acts shall be as valid as if such Provision were not repealed; and the Repeal thereof and this Act respectively shall accordingly be subject and without Prejudice to everything so done, suffered, or confirmed, and to all Rights, Liabilities, Claims, and Demands, both present and future, which if the said Provisions were not repealed and this Act were not passed would be incident to or consequent on any and every thing so done or suffered, and the Company shall be liable in respect to all such Rights, Liabilities, Claims, and Demands in the same Manner and to the same Extent as the *Waveney Valley* Railway Company would have been liable in respect of such Rights, Liabilities, Claims, and Demands in case this Act had not passed: Provided always, that the Generality of the Provisions in this Enactment shall not be confined or restricted by any special Provision in this Act.

Actions, &c. not to abate.

14. No Action, Suit, Prosecution, or other Proceeding commenced either by or against the *Waveney Valley* Railway Company before the passing

passing of this Act shall abate or be discontinued or prejudicially affected by this Act, but on the contrary shall continue and take effect, either in favour of or against the Company, in like Manner in all respects as the same would have continued and taken effect if this Act had not been passed; and all Offences against the Provisions of any of the recited Acts hereby repealed relating to the *Waveney Valley* Railway Company committed before the Amalgamation may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for, in like Manner in all respects as if this Act had not been passed.

Debts due to and by the Waveney Valley Railway Company to be paid to and by the Company.

15. All Companies and Persons who immediately before the passing of this Act owed any Sum of Money to the *Waveney Valley* Railway Company, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due and payable or accruing from the same, to the Company; and all Monies which immediately before the passing of this Act were due or owing by or recoverable from the *Waveney Valley* Railway Company, or for the Payment and Satisfaction of which that Company were or but for the passing of this Act would have been liable, shall, with all Interest (if any) due or to accrue thereon, be paid by or be recoverable from or be satisfied by the Company.

Company to maintain a Station or Lodge at certain level Crossings.

16. And whereas under the Provisions of the Acts referred to in the next following Table the Railways thereby respectively authorized were authorized to be carried across the Roads referred to in the said Table on the Level of such Roads; (that is to say,)

WAVENEY VALLEY RAILWAY ACT, 1851.

Number on Plan referred to in Act.	Name of Parish.
6*a*, 16, 19, 29, 45 - -	Tivetshall St. Margaret.
3 - - - -	Tivetshall St. Mary.
20 - - -	Pulham St. Mary Magdalene.
26, 36*a* - - -	Pulham St. Mary the Virgin.
18 - - -	Starston.
12, 59 - - -	Redenhall cum Harleston.
1, 36, 69 - - -	Wortwell.
1 - - - -	Alburgh.
12, 28, 37, 42, 49 - -	Earsham.
13 - - - -	Bungay Holy Trinity.

WAVENEY VALLEY RAILWAY ACT, 1859.

Number on Plan referred to in Act.	Name of Parish.	
12	Earsham -	With not more than a double Line of Rails at any Time, nor more than a single Line so long as the Line continues single.

Number on Plan referred to in Act.	Name of Parish.	
28	Ditchingham -	With not more than a double Line of Rails at any Time, nor more than a single Line so long as the Line continues single.
1	Broome -	
27	Ellingham -	
43	Geldeston -	
14	Beccles -	

And whereas the *Waveney Valley* Railway Company are required by such Acts respectively to erect and permanently maintain either a Station or Lodge at the Points where such Roads are crossed on the Level: Be it therefore enacted, That the Company shall not lay down more than a double Line of Rails across any of the said Roads referred to in "The *Waveney Valley* Railway Act, 1859," or "The *Waveney Valley* Railway Act, 1860," nor more than a single Line of Rails so long as the Line continues single; and that for the greater Convenience and Security of the Public the Company shall erect (if necessary) and shall permanently maintain a Lodge fitted for the Residence of a Gatekeeper at the several Points where the Railway crosses any of the Roads referred to in the said Table on the Level, and the Company shall be subject to and 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 Lodge, or to appoint a proper Person to watch or superintend the Crossing at such Point, 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 Bridge instead of level Crossing.

17. The Board of Trade may, if it shall appear to them necessary for the public Safety, at any Time after the passing of this Act require the Company, within such Time as the Board of Trade shall direct, and at the Expense of the Company, to carry the before-mentioned Roads, or any of them, either under or over the Railway by means of a Bridge or Arch, instead of crossing the same on a Level, or to execute such other Works as under the Circumstances of the Case shall appear to the Board of Trade the best adapted for removing or diminishing the Danger arising from such level Crossing; and where any such Road shall be so carried either under or over the Railway it shall not be necessary for the Company to erect or maintain any Lodge at the Point where such Road may be crossed, or to appoint any Person to watch or superintend the Crossing

Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

As to shunting of Trains.

18. It shall not be lawful for the Company in shunting Trains to pass any Train over such level Crossing, or to allow any Train, Engine, Carriage, or Truck to stand across the same.

Lands for extraordinary Purposes.

19. The Company may from Time to Time purchase by Agreement such Lands as they may require for any of the extraordinary Purposes specified in "The Railway Clauses Consolidation Act, 1845," in connexion with the *Waveney Valley* Railway authorized by the recited Acts, not exceeding in the whole Ten Acres.

Railway Tolls.

20. The Company may demand and take in respect of the said *Waveney Valley* Railway such Tolls and Charges as the Company think fit, not exceeding the Rates of Toll and Charge authorized to be taken on the *Great Eastern* Railway by "The *Great Eastern* Railway Act, 1862;" and in estimating the Amount of Toll or Charge in respect of any Traffic conveyed partly on the *Waveney Valley* Railway and partly on any other Railway of the Company, the *Waveney Valley* Railway and such other Railway shall be deemed One Railway.

Waveney Valley Preference Shares to be Preference Shares in the Company, and subject to the same Trusts, &c. as formerly.

21. After the passing of this Act the Preference Shares created by the *Waveney Valley* Railway Company shall and are hereby declared to be Preference Shares of the same Amount each in the Capital of the Company, and are herein-after for the Purposes of this Act referred to as "*Waveney* No. 1. Preference Shares," and as such Shares in the Company shall and are hereby declared to be respectively subject to the same Trusts, Powers, Provisions, Agreements, Declarations, Liens, Charges, and Incumbrances as when they were Shares in the Capital of the *Waveney Valley* Railway Company; and no Will or Testamentary Disposition of or affecting any such Preference Shares in the Capital of the *Waveney Valley* Railway Company shall be revoked or affected by their becoming Shares in the Capital of the Company.

Company to create Waveney No. 2 Preference Stock.

22. The Company shall create Stock to the Amount of Eighteen thousand Pounds, herein-after for the Purposes of this Act called *Waveney* No. 2 Preference Stock, which shall entitle the Holders thereof to fixed Dividends out of the Profits of the Undertaking at the Rate of Four Pounds Ten Shillings *per Centum per Annum* upon the Amount thereof, but shall not entitle the Holders thereof to any further Participation in the Profits of the Company.

Vesting Waveney No. 2 Preference

23. The Company shall allot and give to every Person and Corporation, except the Company, who immediately before the passing of this Act was entitled to One or more of the Twenty-five Pounds ordinary Shares in

in the Capital of the *Waveney Valley* Railway Company, Eleven Pounds Five Shillings of the *Waveney* No. 2 Preference Stock for each such Share to which such Person or Corporation, except the Company, was so entitled, and such Stock shall vest in such Persons and Corporations upon and subject to the same Trusts, Powers, Provisions, Declarations, Agreements, Charges, and Incumbrances as the Shares in the Capital of the *Waveney Valley* Railway Company in respect of which it was allotted, and so as to give effect to and not revoke any Will or Testamentary Disposition of or affecting such Shares.

Stock in ordinary Waveney Valley Shareholders.

24. If the Revenue of the Company available for Dividend in any Year ending the Thirty-first Day of *December* shall be insufficient to pay the preferential Dividend due upon the *Waveney* No. 1 Preference Shares, or *Waveney* No. 2 Preference Stock, the Deficiency, or any Part thereof, shall not be chargeable against the Revenue of the Company available for Dividend in any subsequent Year, or against any other Funds of the Company.

If Year's Revenue insufficient for Dividend, subsequent Revenue not to be charged.

25. The Terms and Conditions to which the *Waveney* No. 1 Preference Shares or *Waveney* No. 2 Preference Stock are subjected by this Act shall be clearly stated on the Certificates of such Shares or Stock.

Terms for preferential Shares to be stated on Certificate.

26. No Guarantee of preferential Dividend attached or to be attached, by or under the Powers of this Act, to any Shares or Stock, shall prejudice or affect any Preference or Priority in the Payment of Dividend or Interest on any other Shares or Stock which may have been previously granted by the Company in pursuance of or which may have been confirmed by any Act of Parliament, or which may otherwise be lawfully subsisting.

Saving Rights of existing Preference Shareholders.

27. The Company shall, at the Request in Writing of the registered Proprietor of any *Waveney* No. 1 Preference Share, or *Waveney* No. 2 Preference Stock, give to such Proprietor free of Expense a Certificate or Certificates in the Name of the Company of such Share, or of any Number of such Shares or such Stock, held by the same Proprietor; and until a Certificate of any such Share or Stock shall be given under this Act, the Certificate (if any) of the same Share, or, as the Case may be, of the Share or Shares in respect of which such Stock is allotted, given by and in the Name of the *Waveney Valley* Railway Company shall continue in force.

Certificates to be given.

28. The Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in person or by proxy, at a General Meeting convened with special Notice of the Purpose, may from Time to Time guarantee such Amount of Dividend or Interest as they may think proper on all or any Shares, Stock, Mortgages, or Debentures of the *Lynn and Hunstanton*

Power to Company to guarantee Dividends, &c. on Shares, &c. of Lynn and Hunstanton

and Bishop Stortford, Dunmow, and Braintree Railway Companies.

Hunstanton Railway Company, or the *Bishop Stortford, Dunmow, and Braintree* Railway Company, or on all or any Sums which those Companies, or either of them, are or may be authorized to raise by the Creation of Shares or Stock or by Mortgage, but not exceeding the Rate of Four Pounds Ten Shillings *per Centum per Annum* on Shares or Stock, or Sums authorized to be raised by Shares or Stock, and Five Pounds *per Centum per Annum* on Mortgages or Debentures, or Sums authorized to be raised by Mortgage.

Undertaking of Lynn and Hunstanton Company may by Agreement be amalgamated, &c. with Company.

29. The Undertaking of the *Lynn and Hunstanton* Railway Company, with the Consent of Three Fourths of the Votes of the Shareholders of that Company present, in person or by proxy, at a General Meeting specially convened for the Purpose, and with the like Consent of the Shareholders of the Company, may at any Time hereafter be transferred to and vested in the Company by Amalgamation or Sale for such Price or Consideration, and upon such Terms and Conditions, as may be agreed upon between the Company and the *Lynn and Hunstanton* Railway Company, subject nevertheless to the Provisions of this Act.

Provisions of 25 & 26 Vict. c. ccxxiii. as to Powers of Amalgamation, &c. to be applicable in the Case of the Lynn and Hunstanton Railway.

30. The Provisions of "The *Great Eastern* Railway Act, 1862," with respect to the vesting of the Undertakings of certain other Companies in the Company by Amalgamation or Sale, and which are contained in the Two hundred and eighty-seventh and following Sections to the Three hundred and eighth Section inclusive of the said Act, shall be applicable in the Case of an Amalgamation or Sale of the Undertaking of the *Lynn and Hunstanton* Railway Company as if such Amalgamation or Sale had been authorized by that Act, and the *Lynn and Hunstanton* Railway Company had been One of the Companies named in the Two hundred and eighty-fifth Section of the said Act.

Confirming Eastern Union Agreement.

31. The Agreement of the Twenty-ninth Day of *July* One thousand eight hundred and sixty-two set forth in the Schedule (B.) to this Act is hereby confirmed.

Power to purchase a Field in West Ham.

32. And whereas a Plan showing the Field in the Parish of *West Ham* which the Company require for Station Purposes, and a Book of Reference to such Plan, have been deposited with the Clerk of the Peace of the County of *Essex*: Therefore, subject to the Provisions of this Act and of the Acts incorporated herewith, the Company may enter upon, purchase, take, and use the said Field for the Purposes of their Undertaking.

Powers for compulsory Purchases limited.

33. The Powers of this Act for the compulsory Purchase of Land shall not be exercised after the Expiration of One Year from the passing of this Act.

34. The

Power to Company to raise Money by new Shares or Stock.

34. The Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in person or by proxy, at any General Meeting or General Meetings of the Company convened with special Notice of the Purpose, may at any Time, or from Time to Time, raise by the Creation of Shares or Stock in their Undertaking (in addition to such Sums of Money as they now are or by any other Act of the present Session of Parliament may be authorized to raise) any further Sums not exceeding in the whole Five thousand Pounds.

Amount of Shares; Disposal of Shares and Stock.

35. The Company may from Time to Time create any new Shares by this Act authorized of such Amount each as shall be fixed and determined by the Resolutions of any Ordinary or Extraordinary Meeting of the Company, and such Meeting may from Time to Time (but subject to the Provisions of this Act) fix the Amounts and Times of Payment of the Calls on new Shares created under the Powers of this Act, and the Company may dispose of such Shares or of any new Stock created as aforesaid to such Persons and on such Terms and Conditions as the Company think fit, but so that no such Stock shall be issued to any Person except upon Payment of the full nominal Value thereof.

Provisions of 25 & 26 Vict. c. ccxxiii. as to Shares and Stock, to be applicable to Shares or Stock under this Act.

36. The Provisions of "The *Great Eastern* Railway Act, 1862," with respect to Shares or Stock to be created under the Powers of that Act, contained in the Forty-second and following Sections to the Forty-fifth Section inclusive, and in the Forty-seventh and following Sections to the Fifty-eighth Section inclusive, of such Act, shall apply to the Shares or Stock to be created under the Powers of this Act for raising the said Sum of Five thousand Pounds as if such Provisions had been specially re-enacted in this Act.

Saving Rights of existing Preference Shareholders.

37. No Preference or Priority in Payment of Interest or Dividends on any Shares or Stock to be created under the Powers of this Act shall prejudice or affect any Preference or Priority in the Payment of Interest or Dividends on any other Shares or Stock which may have been granted by the Company in pursuance of, or which may have been confirmed by, any previous Act of Parliament, or which may be otherwise lawfully subsisting.

Application of Sums raised under this Act.

38. All Money raised under the Powers of this Act by Creation of new Shares or Stock shall be applied in the first instance to the Purposes by this Act authorized, and, subject thereto, shall be applicable to the Purposes authorized by the other Acts relating to the Company.

Interest not to be paid on Calls paid up.

39. The Company shall not, out of any Money by this Act authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided always, that this Act shall not prevent the Com-

pany 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 Companies Clauses Consolidation Act, 1845."

Deposits for future Bills not to be paid out of Capital or Loan.

40. The Company shall not, out of any Money by this Act authorized to be raised, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway, or execute any other Work or Undertaking.

Authorizing Sale of certain Glebe Land of the Vicarage of Clare for the Milford and Clarre Line.

41. And whereas by "The *Great Eastern* Railway Act, 1862," after reciting that Her Majesty in right of Her Duchy of *Lancaster* is seised of or entitled to the Advowson and Right of Presentation to the Vicarage of *Clare* in the County of *Suffolk*, and that Two Roods and Two Perches, Part of the Glebe Lands belonging to the said Vicarage, numbered 49 and 40 on the Plan therein referred to, would be required by the Company for the Purposes of the Railway thereby authorized (being the Railway therein called "The *Milford and Clare* Line"), it was enacted, that it should be lawful for the Chancellor for the Time being of the said Duchy, and the Incumbent for the Time being of the said Vicarage, to sell and convey to the Company, at the Expense of the Company, the Fee Simple and Inheritance of the aforesaid Part of the said Glebe Lands in consideration of a perpetual annual Rentcharge as therein mentioned: And whereas the Company in the Construction of the said Railway are desirous to make a slight Deviation in the centre Line thereof from the centre Line as laid down on the Plans referred to in the said Act, and Part of the Property numbered 48 in the Parish of *Clare* on the said Plans, which is also Part of the Glebe Lands belonging to the said Vicarage, will be required for the Purposes of such Deviation, as well as Parts of the said Properties numbered 49 and 50, but no more than Two Roods and Two Perches of all the said Three Properties will be required: Therefore all the Provisions of the said Act with respect to the Sale and Conveyance of the Part of the said Glebe Lands therein referred to, and with respect to the perpetual annual Rentcharge in consideration thereof, shall be read and construed as if the Part of the said Glebe Lands to be sold and conveyed had included Part of the said Property numbered 48 on the said Plan, as well as Parts of the Properties numbered respectively 49 and 50 on the said Plans.

Power to Company to continue Rails across the Road near the Wisbech Harbour.

42. And whereas the Terminus at or near the *Wisbech Harbour* Branch of the Company is near to a certain Timber Yard and Premises belonging to *Richard Young* Esquire, the Mayor of *Wisbech*, being separated therefrom only by a public Road, and the Company at the Request of the said *Richard Young* have laid down Rails across the said

Road

Road so as to effect a Communication by Rails between the *Wisbech Harbour* Branch and the said Premises, and it is expedient that the said Rails should be permitted to remain so long as they shall not be found an Inconvenience to the Public: Therefore the Company may maintain and from Time to Time repair and renew such Rails, and lay down others in their Place or Stead, but all such Repairs and Works shall be executed subject to such Regulations and under such Supervision and Control of the Surveyor for the Time being of the Board of Health, or other Body having the Control and Management of the Road, as such Board or other Body may from Time to Time prescribe; and if at any Time the Board of Health or other Body aforesaid shall find that such Rails interfere with the convenient Use of the Road by the Public, they may by Writing under the Hand of their Secretary or Clerk require the Company to remove such Rails, and upon the Receipt of such Notice the Company shall with all convenient Speed remove such Rails, and restore and make good the Surface of the Road.

Saving Rights of the Northern and Eastern Railway Company.

43. Provided always, That this Act or anything herein contained shall not in anywise lessen, prejudice, alter, or otherwise affect any of the Rights, Interests, Powers, Authorities, Privileges, Remedies, Claims, and Demands whatsoever, whether at Law or in Equity, or otherwise howsoever, which, under or by virtue of the several Acts relating either immediately or mediately to the *Northern and Eastern* Railway Company, the *Northern and Eastern* Railway Company, or the Shareholders of that Company, or any of them, were immediately before the passing of this Act entitled to, or might lawfully have, exercise, enjoy, or claim, against or with respect to or in any way concerning the Company, or the Railways, Works, or other Property of the Company, or any Part thereof, or the Revenue or Profits of the Company or any Part thereof, or the Undertaking of the Company or any Part thereof, or against or with respect to or in any way concerning any Company or the Shareholders of any Company having or claiming any Rights or Interests against or with respect to or in any way concerning the Company, or the Railways, Works, or other Property of the Company or any Part thereof, or the Revenue or Profits of the Company or any Part thereof, or the Undertaking of the Company or any Part thereof, but all such Rights, Interests, Powers, Authorities, Privileges, Remedies, Claims, and Demands whatsoever of the *Northern and Eastern* Railway Company and the Shareholders thereof, and every of them respectively, shall be and remain as of full Force, Validity, Operation, and Effect, and may be had, exercised, enjoyed, and enforced in like Manner, to all Intents and Purposes whatsoever, both at Law and in Equity, and otherwise howsoever, as if this Act had not been passed, anything in this Act to the contrary thereof in anywise notwithstanding.

Railways not exempt from Provisions of

44. Nothing in this Act contained shall be deemed or construed to exempt the Railways which the Company are by any Act authorized to

present and future General Acts.

to make from the Provisions of any General Act relating to Railways now in force, or which may hereafter pass during this 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 the said Acts.

Expenses of Act.

45. The Costs and Charges of applying for and obtaining this Act, and incidental thereto, shall be paid by the Company.

Short Title.

46. In citing this Act for any Purpose it shall be sufficient to describe it as "The *Great Eastern* Railway (Additional Powers) Act, 1863."

SCHE-

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Waveney Valley Railway Act, 1860.

SECTION 5.

Provided always, that before opening the Railway for public Traffic in the Parish of Beccles the Company shall construct and they shall for ever afterwards maintain a good and convenient Footway or Bridge, Five Feet wide, under or over their Railway by the Side of Norgate Street (No. 14) in the said Parish, and shall also lower the Parish Road numbered 25 in the Parish of Beccles so that the same shall pass under the Railway; and the Road so constructed shall be not less than Twenty Feet wide, and shall leave a clear Head-room of not less than Nine Feet, and the Inclinations thereof shall not be greater than One in Twenty.

SECTION 15.

Plans to be submitted to the Admiralty.

Previously to commencing the Bridge over the River Waveney, or the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Bridge and Works connected therewith for the Approval of the Lord High Admiral of the United Kingdom of Great Britain and Ireland, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Bridge and Works shall be constructed only in accordance with such Approval; and when any such Bridge and Works shall have been commenced or constructed it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Bridge or Works shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, or remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

SECTION 16.

Lights to be exhibited.

During the Construction of the Bridge over the River Waveney and Works connected therewith the Company shall cause to be hung out or exhibited every Night, from Sunset to Sunrise, a Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels; and for ever after the Completion of the Bridge the Company shall cause to be hung out or exhibited upon or near to the Centre of the Bridge every Night, from Sunset to Sunrise, a good and sufficient Light, to be kept burning by and at the Expense of the Company, for the Navigation and safe Guidance of Vessels; and which Lights shall be from Time to Time altered by the Com-

pany in such Manner, and be of such Description, and be so used and placed, as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall by Writing under the Hand of the Secretary of the Admiralty approve of; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid they shall forfeit and pay for every such Neglect the Sum of Ten Pounds.

SECTION 17.

River to be maintained at Bridge.

The Bed of the River Waveney at the Site of the Bridge over such River shall be made and for ever maintained by and at the Cost of the Company in a good navigable State to the Satisfaction of the Lord High Admiral of the United Kingdom of Great Britain and Ireland, or the Commissioners for executing the Office of Lord High Admiral; and if the Company neglect or refuse at any Time to make or maintain the same as aforesaid, the said Lord High Admiral or the said Commissioners may so make and maintain the same at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

SECTION 20.

Works affecting River Waveney to be approved by Admiralty.

It shall not be lawful for the Company to construct any Work in, under, over, through, or affecting the River Waveney hereby or otherwise authorized to be made without the previous Consent of the Lord High Admiral of the United Kingdom of Great Britain and Ireland, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, may approve, such Approval being signified as last aforesaid; and where any such Work shall have been constructed it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Work shall be commenced or completed, or be altered or extended, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

SECTION 21.

Admiralty may make local Survey.

If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

SECTION 22.

If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Admiralty may remove abandoned Works.

SECTION 32.

Nothing contained in this Act shall authorize the said Company to take, use, or in any Manner interfere with any Foreshore or other Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, 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, on behalf of Her Majesty first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), or shall take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of Crown.

SCHEDULE (B.)

An AGREEMENT made the Twenty-ninth Day of July One thousand eight hundred and sixty-two between the EASTERN COUNTIES RAILWAY COMPANY, for themselves, their Successors and Assigns, of the First Part; the EASTERN UNION RAILWAY COMPANY, for themselves, their Successors and Assigns, of the Second Part; and JOHN CHEVALLIER COBBOLD, of Ipswich, in the County of Suffolk, Esquire, Member of Parliament, the Chairman of the Eastern Union Railway Company, and Sir SAMUEL BIGNOLD, of the City of Norwich, the Deputy Chairman of the said Company, (and which said John Chevallier Cobbold and Sir Samuel Bignold are Trustees of the Covenants and Agreements herein-after contained,) of the Third Part.

WHEREAS a Bill is now pending in Parliament, intituled "An Act to "amalgamate the Eastern Counties, the East Anglian, the Newmarket, the "Eastern Union, and the Norfolk Railway Companies," and the same has been read a Third Time in the House of Lords, and is now waiting the Assent of the House of Commons to the Amendments made therein, but some of such Amendments are objected to by the Eastern Union Railway Company: Now the said Parties hereto of the First and Second Parts do hereby interchangeably covenant and agree with each other as a separate Covenant with the said John Chevallier Cobbold and Sir Samuel Bignold:

1. That in calculating the Eastern Union Liabilities in respect of all fixed annual Charges in accordance with the Thirty-third Clause of the said Bill

Interest

Interest shall, as against the said Eastern Union Railway Company, be calculated and taken at the average Rate at which the amalgamated or new Company shall from Time to Time issue their Securities in all Cases where the Interest now payable by the said Eastern Union Railway Company exceeds such Average.

2. That Three Directors of the Eastern Union Railway Company, to be selected by the Board of that Company, shall be a Committee representing and acting for the Eastern Union Section of Shareholders for settling and adjusting the outstanding Accounts and Affairs of the said Eastern Union Railway Company, with Power to refer to Arbitration any Questions which may arise upon this Agreement, and generally for protecting the Interests of the Eastern Union Section, and such Committee shall have all necessary Powers for exercising those Functions, and may arrange their own Times and Places of meeting.

3. The amalgamated or new Company will, so far as is necessary, aid and co-operate with the Committee to be appointed in pursuance of Article 2 in enabling them to carry out and effect the Objects indicated by this Agreement.

4. All Questions which may from Time to Time arise under the said Thirty-third Clause of the said Bill, as to the actual Amount of the Eastern Union Liabilities in respect of all fixed annual Charges, shall, as and when the same may arise, be referred to and be determined by Captain Douglas Galton, R.E., upon the Principle adopted in the Accounts of the Three Companies as arranged by Messrs. Coleman, Turquand, and Co., under his Direction.

5. The Powers conferred by Clause 34 of the Bill to be carried into execution forthwith; any Question as to the Terms upon which the A Stock therein referred to is to be commuted to be from Time to Time referred to and settled by the Referee appointed under this Agreement.

6. The amalgamated or new Company shall apply to Parliament for all such Powers as may be necessary to carry out the Decisions of the said Referee; and if such Company shall fail to make such Application, then the Parties hereto of the Third Part shall be at liberty to make the Application themselves at the Expense of the amalgamated or new Company, in which Case the latter Company shall not oppose any such Application.

7. The Costs of the Norfolk and Eastern Union Railway Companies incurred in connexion with this Bill to be borne by the amalgamated Company.

8. The Eastern Union Railway Company, in consideration of the Undertakings herein contained, agree not to oppose the further Progress of the Bill.

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