ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. cxxxvii.

An Act to amend the Acts relating to the *Ipswich and Bury Saint Edmund's* Railway Company, and to enable the Company to construct a Railway from the *Ipswich and Bury Saint Edmund's* Railway near *Ipswich* to *Woodbridge*.

[9th *July* 1847.]

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 St. Edmund's* Railway Act, 1845:" And whereas another Act was passed in the last Session of Parliament, intituled *An Act to amend the* Ipswich and Bury St. Edmund's *Railway Act*, 1845, *and for making a Railway from the said* Ipswich and Bury St. Edmund's *Railway to* Norwich, *with a Branch therefrom:* And whereas the making of a Railway from the Line of the *Ipswich and Bury Saint Edmund's* Railway near *Ipswich* to *Woodbridge* would be attended with public and local Advantage: And whereas the *Ipswich and Bury Saint Edmund's* Railway Company are desirous of carrying into effect the Objects aforesaid, if authorized so to do; but for such Purpose it is necessary that the Capital authorized to be raised by the said recited Acts should be increased, and that some of the Powers and Provisions of the said

9 & 10 Vict. c. 280.

Acts should be enlarged, and further Powers granted to the said Company: 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 all the Provisions contained in the said recited Acts, so far as the same are now unrepealed and in force, and except such as are inapplicable to the Purposes of this Act, shall extend to this Act, and to the several Objects and Purposes thereof, as fully and effectually as if the same Provisions were re-enacted in this Act with reference to such Objects and Purposes.

Extending Powers of recited Acts to this Act.

Power to raise additional Capital by Creation of new Shares.

II. And be it enacted, That it shall be lawful for the Company to appropriate any Portion of the Capital which they are authorized to raise by the said recited Acts, or either of them, and which may not be required for the Purposes thereof, to the Purposes of the Works by this Act authorized, and to raise for the Purposes of this Act, by creating new Shares, in addition to the said Capital, and in addition to any other Sum which the Company may be authorized to raise by any Act to be passed in the present Session of Parliament, any further Sum of Money not exceeding in the whole the Sum of Two hundred thousand Pounds.

New Shares to be considered same as original Shares.

III. And be it enacted, That the Capital so to be raised by the Creation of new Shares shall be divided into Shares of such Amount as will conveniently allow the same to be apportioned or allotted according to the Order of any Ordinary or Extraordinary Meeting of the Company, and shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls or the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital, except as to the Amount of such Shares, and the Times of making Calls thereon, and the Amount of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit.

Certain Provisions of 9 & 10 Vict. c. 280. extended to this Act.

IV. And be it enacted, That the Provisions in the secondly-recited Act contained for consolidating the old Shares of the Company with the new Shares thereby authorized to be created shall equally apply to the Shares hereby authorized to be created.

Interest not to be paid on Calls paid up.

V. And be it enacted, That it shall not be lawful for the Company, out of any Money by this Act or any other Act relating to the said Railway Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him, beyond the Amount of the Calls actually made, as shall be in conformity with the

the Provisions in the Companies Clauses Consolidation Act, 1845, in that Behalf contained.

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

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

As to Votes of Proprietors of new Shares.

VII. And be it enacted, That the Proprietors of any new Shares created under the Powers of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if they had been possessed of original Shares in the said Undertaking.

Power to borrow on Mortgage or Bond.

VIII. And be it enacted, That after the whole of the Sums by this and the said recited Acts authorized to be raised by Shares shall have been subscribed for, and One Half thereof paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any Ordinary or Extraordinary Meeting of the Company, not exceeding in the whole the Sum of Sixty-six thousand six hundred and sixty-six Pounds, in addition to the Sums which they are by the said recited Acts authorized to borrow, and in addition to the Sums which they may be authorized to borrow by any other Act to be passed in the present Session of Parliament.

Mortgages under former Acts to have Priority.

IX. Provided always, and be it enacted, That all Mortgages or Bonds which may have been already created under the Powers of either of the said recited Acts shall, during the Continuance thereof, have Priority over any Mortgages or Bonds to be created by virtue of this Act.

Power to make Railway.

X. And be it enacted, That it shall be lawful for the *Ipswich and Bury Saint Edmund's* Railway Company to construct the Line of Railway next herein-after mentioned, in extension of or in connexion with, and as Part of the said *Ipswich and Bury Saint Edmund's* Railway; (that is to say,)

A Line of Railway commencing by a Junction with the Line of the said *Ipswich and Bury Saint Edmund's* Railway, at or near the Bridge over the last-mentioned Railway on the Road from *Ipswich* to *Hadleigh* in the Parish of *Saint Mary Stoke*, in the Borough of *Ipswich*, and terminating near to *Quay Lane* in the Parish of *Woodbridge*, all in the County of *Suffolk*.

Railway to be made according to deposited Plans, &c.

XI. And whereas Plans and Sections of the said Railway and Works by this Act authorized showing the Line and Levels thereof, and also a Book of Reference to such Plans containing the Names of the Owners,

Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through which the same are intended to pass or be made, have been deposited with the Clerk of the Peace for the County of *Suffolk;* be it enacted, That, subject to the Provisions in this and the said recited Acts as extended to this Act contained, it shall be lawful for the Company to make and maintain the said Railway and Works in the Line and upon the Levels defined on the said Sections, and upon the Lands delineated on the said Plans and described in the said Book of Reference, and to enter upon, take, and use such of the said Lands as they shall deem necessary for such Purpose.

Certain Roads may be crossed on the Level.

XII. And be it enacted, That it shall be lawful for the Company, if they think fit, to carry the Line of Railway by this Act authorized across and on the Level of the several Roads numbered respectively on the Plans deposited as aforesaid as follows; (that is to say,) the Road numbered 10 in the Parish of *Westerfield*, the Road numbered 14 in the Parish of *Playford*, and the Road numbered 11 in the Parish of Little *Bealings*.

Company to erect a Station or Lodge at the Points of crossing, and to abide by Regulation of Commissioners of Railways as to Speed of Trains.

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

Lands for extraordinary Purposes.

XIV. And be it enacted, That it shall be lawful for the Company to purchase and take any Quantity of Land for extraordinary Purposes beyond the Quantity which they may be already authorized to take for such Purposes not exceeding Twenty Acres.

Compulsory Powers of purchasing Land limited.

XV. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Works.

XVI. And be it enacted, That the Works by this Act authorized shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers granted to the Company for

for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Line of Railway by this Act authorized as shall then be completed.

Tolls.

XVII. And be it enacted, That it shall be lawful for the Company to demand and receive, in respect of the Use of the Line of Railway by this Act authorized, and of the Engines and Carriages employed thereon, any Tolls and Charges not exceeding the Tolls and Charges which they are or may be authorized to demand and receive upon the *Ipswich and Bury Saint Edmund's* Railway in respect of the Use thereof and of the Engines and Carriages employed thereon.

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.

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

Railways to be subject to Provisions of future general Acts.

XIX. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railways by this or the said recited Acts authorized to be made from the Provisions of any general Act relating to such Acts, or 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 authorized by the first-recited Act as extended to this Act.

Short Title of Acts.

XX. And be it enacted, That in citing the said secondly-recited Act and this Act in Acts of Parliament, legal Instruments and Pleadings, and other Proceedings, it shall be sufficient to use the respective Expressions, "The *Ipswich and Bury* Railway (*Norwich* Extension) Act, 1846," and "The *Ipswich and Bury* Railway (*Woodbridge* Extension) Act, 1847."

Expences of Act.

XXI. And be it enacted, That the Costs, Charges, and Expences of soliciting, obtaining, and passing this Act, and preparatory thereto, shall

shall be paid by the Company out of the first Monies which shall come to their Hands.

Public Act. XXII. 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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