ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

Cap. lxviii.

An Act for enabling the *Leeds and Thirsk* Railway Company to make a Railway by *Harrogate* to *Pateley*; and for other Purposes.

[22d *July* 1848.]

WHEREAS an 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 for making a Railway from* Leeds *to* Thirsk, *with Branches therefrom:* And whereas another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said present Majesty, intituled *An Act to enable the* Leeds and Thirsk *Railway Company to make a Railway from* Northallerton *to the* Stockton and Hartlepool *Railway:* And whereas another Act was passed in the same Session, intituled *An Act for enabling the* Leeds and Thirsk *Railway Company to make certain Deviations in the Line of the* Saint Helens *Branch of the said Railway:* And whereas another Act was passed in the same Session, intituled *An Act to enable the* Leeds and Thirsk *Railway Company to alter and extend the Line of Part of their Railway; and for other Purposes:* And whereas another Act was passed in the said Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said present Majesty, intituled *An Act for making a Railway from* Knaresborough *to or near to the City of* York, *to be called* "*The* East

8 & 9 Vict. c. 104.

9 & 10 Vict. c. 149.

9 & 10 Vict. c. 153.

9 & 10 Vict. c. 154.

9 & 10 Vict. c. 164.

and West Yorkshire *Junction Railway*:" And whereas it would be attended with local and public Advantage if the said *Leeds and Thirsk* Railway Company were empowered to make a Railway from the Township of *Bilton with Harrogate* to *Pateley Bridge*, in lieu of a Portion of the Branch from *Starbeck* to *Harrogate* already authorized: And whereas it is considered that the *East and West Yorkshire Junction* Railway, and the Works connected therewith, might be worked with greater Economy, Advantage, and Convenience to the Public if the same were managed in conjunction with the Undertakings of the *Leeds and Thirsk* Railway Company, and it is expedient that Arrangements should be made for vesting, upon certain Conditions, the *East and West Yorkshire Junction* Railway, with the Works and Conveniences thereof, and all the Property and Effects of the same Company, in the said *Leeds and Thirsk* Railway Company, and that the said *East and West Yorkshire Junction* Railway Company should be incorporated with the said *Leeds and Thirsk* Railway Company upon the Terms and Conditions herein-after expressed: And whereas it is also expedient that some of the Powers and Provisions of the said recited Acts should be amended and enlarged; but the Purposes 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 Commons, in this present Parliament assembled, and by the Authority of the same, That all the Provisions contained in the said recited Acts relating to the *Leeds and Thirsk* Railway Company, so far as the same are or may be applicable and now in force, and except such of them as are by this Act repealed, altered, or otherwise provided for, shall extend to this Act and to the several Purposes thereof, and to the several Matters and Things hereby authorized to be done, as fully and effectually as if the said Provisions were re-enacted in this Act in reference to such Purposes, Matters, and Things; and the said recited Acts and this Act shall be construed and read together as forming One Act.

Powers of recited Acts extended to this Act.

Power to raise Money, by Creation of new Shares, which are to form Part of general Capital.

II. And be it enacted, That it shall be lawful for the said Company to raise the Sum of One hundred and fifty-four thousand Pounds by the Creation of new Shares or Stock, in addition to the Sum of Money they are authorized to raise by their former Act, or may be authorized to raise by any Act to be passed during the present Session of Parliament, and the new Shares or Stock to be created by virtue of this Act shall be considered Part of the general Capital of the Company: Provided nevertheless, that in the Creation of such new Shares or Stock it shall not be lawful for the said Company to guarantee Interest or give any Preference in the Receipt of Dividend upon or in respect of such new Shares or Stock; provided also, that all and every Part of such Sum of Money so to be raised shall be applicable only to the Objects and Purposes by this Act authorized.

Calls.

III. Provided always, and be it enacted, That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders in respect of the Money by

this Act authorized to be raised, and Three Months at the least shall be the Interval between successive Calls.

Power to borrow Money on Mortgage.

IV. And be it enacted, That after Shares for the whole of the Capital in Shares by this and the said recited Acts limited or authorized to be raised shall have been taken, and One Half of such Capital shall have been paid up, it shall be lawful for the Company to borrow on Mortgage 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 the whole, in addition to the Sum authorized to be borrowed by the said recited Acts, and in addition to any further Sum which they may be authorized to borrow by any Act to be passed during the present Session of Parliament, the Sum of Fifty-one thousand three hundred and thirty-three Pounds, and to secure the Repayment of the Sum so to be borrowed, with Interest, by Mortgage of the Undertaking, as by the Companies Clauses Consolidation Act, 1845, provided, and subject to the several Provisions therein contained with respect to the borrowing of Money on Mortgage: Provided always, that all and every Part of such Sum of Money so to be borrowed shall be applicable only to the Objects and Purposes by this Act authorized.

Former Mortgages to have Priority.

V. Provided always, and be it enacted, That all Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgages or Bonds to be created by virtue of this Act.

Mortgages and Transfers to be stamped.

VI. And be it enacted, That every Mortgage, Bond, or other Security for Money, and every Transfer of any Share, Stock, Mortgage, Bond, or other Security for Money, to be granted or made by virtue of the said recited Acts or this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be truly stated, anything herein or in the said recited Acts contained to the contrary notwithstanding.

Interest not to be paid on Calls paid up.

VII. And be it enacted, That it shall not be lawful for the said *Leeds and Thirsk* Railway 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 said Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in the "Companies Clauses Consolidation Act, 1845," in that Behalf contained.

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

VIII. And be it enacted, That it shall not be lawful for the said 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

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 Company to construct any other Railway or execute any other Work or Undertaking.

Power to make Railway according to deposited Plans, &c.

IX. And whereas Plans and Sections, showing the Lines and Levels of the Railway by this Act authorized to be made, together with a Book of Reference to the said Plans, containing the Names of the reputed Owners and Lessees and of the Occupiers of the Lands which may be required to be taken for the Purposes of the same Railway respectively, have been deposited with the Clerk of the Peace for the West Riding of the County of *York*; be it enacted, That, subject to the Powers of Deviation contained in the Railways Clauses Consolidation Act, 1845, it shall be lawful for the said Company to make and maintain the Railway herein-after mentioned, with all proper Works and Conveniences connected therewith, in the Lines delineated on the said Plans and Sections, and upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections, and to enter upon, take, and use such of the Lands as shall be necessary for such Purpose.

Line of Railway.

X. And be it enacted, That the said Railway shall commence at or near a Field numbered 92 on the Plans of the *Harrogate* Branch of the *Leeds and Thirsk* Railway referred to in the *Leeds and Thirsk* Railway Act, 1845, in the Township of *Bilton with Harrogate* in the Parish of *Knaresborough*, shall pass from, in, through, or into the Parishes, Townships, and extra-parochial or other Places of *Knaresborough*, *Scriven with Tentergate*, *Bilton with Harrogate*, *Nidd*, *Killinghall*, *Nidd with Killinghall*, *Ripley*, *Felliscliffe*, *Hampsthwaite*, *Clint*, *Wreaks*, *Birtswith*, *Kirkby Malzeard*, *Hartwith*, *Hartwith with Winsley*, *Darley*, *Menwith with Darley*, *Beverley*, *Dacre*, *Dacre cum Beverley*, *Ripon*, *Dacre Banks*, *Warsill*, *Wilsill*, *Bishopside*, *High Bishopside*, *Low Bishopside*, *High* and *Low Bishopside*, *Pateley* and *Pateley Bridge*, or some of them, and shall terminate at or near the Bridge across the River *Nidd* at *Pateley* aforesaid called *Pateley Bridge*, all in the West Riding of the County of *York*.

Power to abandon Portion of Line of Railway.

XI. And be it enacted, That the said Company shall and they are hereby required to abandon so much of the Branch Line of Railway from *Starbeck* to *Harrogate*, and the Works connected therewith, as authorized by the said recited Act, (being the Line fifthly described in such Act,) as will be rendered unnecessary by the Construction of the Railway by this Act authorized; and all the Powers and Authorities contained in the said first-recited Act for making and maintaining such Portion of the said Branch Railway shall from and immediately after the passing of this Act cease and determine.

Certain Roads may be crossed on the Level.

XII. And be it enacted, That, subject to the Provisions in the Railways Clauses Consolidation Act, 1845, contained, in reference to the crossing of Roads on the Level, it shall be lawful for the Company, in the Construction of the Railway by this Act authorized to

to be made, to carry the same across the several Turnpike Roads and Highways described in the said Plans and Books of Reference as herein-after mentioned on the Level thereof; (that is to say,)

A Road numbered 3 in the Township of *Killinghall:*
The Roads numbered 16 and 51*a* in the Township of *Hampsthwaite:*
A Road numbered 9 in the Township of *Clint:*
A Road numbered 62 in the Township of *Dacre cum Beverley:*
A Road numbered 113 in the Township of *High* and *Low Bishopside.*

Company to erect a Station or Lodge at Points of crossing, and to abide by Regulations of Commissioners of Railways.

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 any Quantity of Land for extraordinary Purposes, not exceeding Twenty Acres, in addition to the Lands which the Company are authorized by the said recited Acts to take for such Purposes.

Period for compulsory Purchase of Lands 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 said Railway hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said former Acts granted to the Company for executing the same Railway shall cease to be exercised, except as to so much of the same Railway as shall then be completed.

Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money.

XVII. And whereas Part of the Lands which may be required for the Purposes of this Act belong to the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster;* be it enacted, That it shall be lawful for the Chancellor and Council of Her Majesty's Duchy of *Lancaster* for the Time being to agree with the said Company for the absolute Sale in Fee Simple of the Lands, or any Part thereof, of or belonging to Her said Majesty in right of Her said Duchy which shall be required for the Purposes of this Act, at or for

such Price or Compensation in Money and upon such Terms and Conditions as shall be settled and agreed upon between the said Chancellor and Council and the said Company, and upon Payment of such Price or Compensation, by any Deed or Writing under the Seal of the Duchy, in the Name of Her said Majesty, Her Heirs and Successors, to convey the same Lands, and the Fee Simple and Inheritance thereof, to the said Company, their Successors and Assigns, for the Purposes of this Act; and the Purchase Money or Consideration for the same Lands shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same either shall and may be invested in the Purchase of Bank Annuities according to the Powers and Provisions contained or referred to in an Act passed in the Forty-eighth Year of the Reign of His late
48 G. 3. c. 73. Majesty King *George* the Third, intituled *An Act to improve the Land Revenue of the Crown in* England, *and also of His Majesty's Duchy of* Lancaster, with respect to the Purchase Money to be paid for Property belonging to the Crown within the Survey and Receipt of the said Duchy under the therein-recited Acts, or the same or any Part thereof may, either without any previous Investment or after such, and either alone or together with any other Monies which shall for the Time being have arisen or shall hereafter arise from the Sale of Lands and Hereditaments, Part of the Possessions of the said Duchy, be laid out according to the Provisions of an Act passed in the Fifty-seventh Year of His said Majesty King *George* the Third, intituled
57 G. 3. c. 97. *An Act for ratifying Articles of Agreement entered into by the Right Honourable* Henry Hale *Viscount* Gage *and the Commissioners of His Majesty's Woods and Forests and Land Revenues, and for the better Management and Improvement of the Land Revenues of the Crown,* or the said Monies, and also any such other Monies, whether previously invested or not, or any Part thereof respectively, may be laid out in the Purchase of Lands which in the Judgment of the said Chancellor and Council shall be deemed convenient to be held with any Possession of the said Duchy, as the Chancellor and Council for the Time being of the said Duchy shall direct by any Order or Orders in that Behalf; and the said Chancellor and Council shall for the Purposes of this Act have and be entitled to all such Powers and Provisions in reference to the Monies (if any) so invested in Bank Annuities, and so to be laid out and invested as aforesaid, as under or by virtue of the said recited Act of the Fifty-seventh Year of King *George* the Third they are entitled to concerning any Sums or Funds of or belonging to the Duchy of *Lancaster* in the same Act particularly mentioned or referred to, and the Lands and Hereditaments (if any) so purchased on behalf of the said Duchy as aforesaid shall be conveyed and assured to the Use of Her Majesty, Her Heirs and Successors, in right of Her said Duchy of *Lancaster*, and shall vest in Her said Majesty, Her Heirs and Successors, in the same Right and as fully and effectually as the Lands to be conveyed to the said Company were vested in Her immediately before such Conveyance, and be held with the like Incidents, and be subject to the same Application, to all Intents and Purposes, as the said Lands so to be conveyed to the said Company were held by Her immediately before such Conveyance; and every such Conveyance to the Use of Her

Majesty, Her Heirs and Successors, may be in the Form marked X. in the Schedule to this Act annexed, or as near thereto may be.

Authorizing the Enfranchisement of Copyhold Lands belonging to the Duchy of Lancaster.

XVIII. And whereas Part of the Lands which may be required for the Purposes of this Act are held by Copy of Court Roll or other Customary Tenure of Honors, Manors, or Lordships belonging to the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster*; be it enacted, That it shall be lawful for the Chancellor and Council for the Time being of Her Majesty's Duchy of *Lancaster* to agree with the said Company for the Enfranchisement, subject nevertheless and without prejudice to any Lease which may be for the Time being subsisting, of any such Manor, Honor, or Lordship of any such Copyhold or Customary Lands, and for the Release and Discharge of the same Lands of and from all or any of the Rents, Suits, and Services which by the Custom of such Manors, Honors, or Lordships the same Lands may be charged with or liable to, at or for such Price or Compensation in Money, and upon such Terms and Conditions, and with such Reservations as shall be settled and agreed upon between the said Chancellor in Council and the said Company; and in case the same Lands shall be subject and liable jointly with any other Lands to any such Rents, Suits, or Services, it shall be lawful for the said Chancellor and Council to agree, as well with the Company as also with the Tenant or Proprietor of such other Lands, for the Release or Apportionment of such Rents, Suits, and Services, either with or without any Consideration being paid for the same; and upon any such Agreement for Enfranchisement, Release, or Apportionment it shall be lawful for the said Chancellor and Council, by any Deed or Writing under the Seal of the said Duchy, in the Name of Her said Majesty, Her Heirs and Successors, to release the Lands so to be enfranchised or released, as the Case may be, from all Customary Fines, Rents, Suits, and Services, or such of them, or such Part or Parts thereof, as shall be agreed to be released to the said Company and their Successors for ever, to be holden by the said Company and their Successors as of the Honor or Manor whereof they are or were parcel in Free and Common Socage; and the Purchase Money or Compensation for every such Enfranchisement, and also (if any) for every such Release, shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same shall be applied and disposed of in the Manner and for the Purposes herein directed of and concerning any other Monies which shall come to his Hands by virtue of this Act; and every such Release of Lands as aforesaid, if the same shall be made previously to the Purchase or Acquisition by the Company of the Estate and Interest of the Copyhold or Customary Tenant of such Lands, shall after such Purchase or Acquisition operate and take effect as if the Company had been in possession of the Lands at the Time of the Execution of such Release: Provided always, that the Enfranchisement of any such Copyhold or Customary Lands shall not in other respects affect any Custom by or under which any other Copyhold or Customary Lands not required for the Purposes of this Act shall be holden; and whenever any such Release shall be made as aforesaid the other Lands subject to such Rent, and not required for the Purposes of this Act, shall

shall thenceforth be subject to the whole of such Rents, Suits, and Services, or to a proportionate Part thereof, (as the Case may be,) in the same Manner in all respects as the Entirety of the said Lands so previously subject to such Rent would have continued subject to the whole thereof if such Release had not been made; and all the Powers, Remedies, and Conditions subsisting previously to such Release, for Recovery of the said Rents, Suits, and Services, shall, except as against the Lands so released, at all Times thereafter remain, continue, and be good, valid, and effectual in the Law to all Intents and Purposes for the whole or the proportionate Part of such Rents, Suits, and Services, (as the Case may be,) as if the Lands not so released as aforesaid had been originally alone subject to the same Rent or proportionate Part respectively.

For the Conveyance of Waste Lands belonging to the Duchy of Lancaster.

XIX. And whereas Part of the Lands which may be required for the Purposes of this Act are Waste or Common Lands the Right to the Soil whereof belongs to the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster* (subject to Rights of Common or other Rights or Easements); be it enacted, That it shall be lawful for the Chancellor and Council for the Time being of Her Majesty's Duchy of *Lancaster* to agree with the Company for the absolute Sale in Fee Simple of the Estate, Right, and Interest of Her said Majesty in the Soil of the said Waste or Common Lands which may be so required for the Purposes of this Act, at or for such Price or Compensation and upon such Terms and Conditions as shall be agreed upon between the said Chancellor and Council and the said Company, and upon Payment of such Price or Compensation by any Deed or Writing under the Seal of the Duchy, in the Name of Her said Majesty, Her Heirs and Successors, to convey such Estate, Right, and Interest to the said Company, their Successors and Assigns, for the Purposes of this Act; and the Purchase or Compensation Money for the same shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same shall be by him applied and disposed of in the like Manner and for the like Intents and Purposes as are in and by this Act directed and provided of and concerning any other Monies which shall come to his Hands by virtue of this Act.

Concerning the Sale and working of Mines belonging to the Duchy of Lancaster.

XX. And whereas the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster* is entitled, either in possession, or subject to Leases granted by the said Duchy, to the Mines, Minerals, and Quarries lying and being in or under Part of the Lands required for the Purposes of this Act, or in the Neighbourhood thereof; be it therefore enacted, That it shall be lawful for the Chancellor and Council of Her Majesty's Duchy of *Lancaster*, either before or after the making of the Railway or any Part thereof, to agree with the said Company for the absolute Sale of the said Mines, Minerals, and Quarries, or any Part or Parts thereof, subject nevertheless and without Prejudice to the Lease or Leases (if any) for the Time being subsisting thereof, at or for such Price or Consideration in Money, and upon such Terms and Conditions, and with such Reservations, Exceptions, and Restrictions in all respects as may be agreed upon between

between the said Chancellor and Council and the said Company; and it shall be lawful for the said Chancellor and Council also to enter into any Arrangement or Agreement with the said Company concerning the working by Her said Majesty, Her Successors and Assigns, of the said Mines, Minerals, or Quarries, or any of them, or any Part or Parts thereof, whether the same may be in, under, or upon the Line of the Railway, or in the Neighbourhood thereof; and the Purchase or Consideration Money for the same Mines, Minerals, or Quarries, or Part or Parts thereof, shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same shall be paid and applied by him in the Manner and for the Purposes in and by this Act directed and provided concerning any Monies which shall come to his Hands by virtue of this Act: Provided always, that nothing in this Act contained shall extend to prevent or hinder Her said Majesty or Her Lessees from working, but, on the contrary, it shall be lawful for Her said Majesty and Her Lessees to work, as well before as after the making of the Railway, any such Mines, Minerals, or Quarries, or any Part or Parts thereof, whether the same shall be situate in, under, or upon the Line of the said Railway, or in the Neighbourhood thereof, nor to make Her said Majesty, Her Heirs or Successors, in any way liable for any Damage which may be done to or on the Railway by the working of any such Mines, Minerals, or Quarries, unless the said Chancellor and Council shall have expressly agreed in Writing with the said Company that the said Duchy shall become so liable, and then to the Extent (if any) only and in the Manner in such Agreement specified and provided: Provided also, that it shall not be lawful for the Company, by reason of any such Conveyance, to work, get, or use any such Mines, Minerals, or Quarries, (except so far as may be necessary in making the Railway,) unless they shall in the Conveyance or Assurance thereof be expressly authorized by the said Chancellor and Council so to do, and then to the Extent only which shall be so authorized.

For Enrolment of all Deeds of Conveyance of Land belonging to the Duchy of Lancaster.

XXI. And be it enacted, That every Deed or Writing whereby any Lands, Hereditaments, Estate, Right, or Interest shall be conveyed or assured by the said Chancellor and Council of Her said Majesty's Duchy of *Lancaster*, by virtue of the Powers of this Act, being enrolled in the Court of the Duchy Chamber of *Lancaster* within Twelve Calendar Months from the Date thereof, shall be effectual to vest in the said Company the Lands, Hereditaments, and Premises thereby expressed to be granted, conveyed, or assured, anything contained in the Act passed in the First Year of Her Majesty Queen *Anne*, intituled *An Act for the better Support of Her Majesty's Household, and the Honour and Dignity of the Crown*, or in any other Act, to the contrary in anywise notwithstanding.

13 W. 3. & 1 Anne, c. 7.

Power for the East and West Yorkshire Junction Railway Company, and the Leeds

XXII. And be it enacted, That it shall be lawful for the *East and West Yorkshire Junction* Railway Company, with the Concurrence of Three Fifths of the Shareholders thereof present, personally or by Proxy, at any General Meeting of the Company specially convened for such Purpose, and for the *Leeds and Thirsk* Railway Company, with

and Thirsk Railway Company, to enter into Agreements for an Amalgamation.

with the Concurrence of Three Fifths of the Shareholders thereof present, personally or by Proxy, at any General Meeting of the Company specially convened for such Purpose, to make and enter into such Arrangements or Agreements as they shall mutually think fit for the Amalgamation of the said *East and West Yorkshire Junction* Railway Company with the said *Leeds and Thirsk* Railway Company, upon such Terms and subject to such Conditions with respect to the Allotment or Allocation of the Capital of the Company, or the Division or Apportionment of Profits, or otherwise, as the said Companies may mutually agree.

Notice to be given in the London Gazette.

XXIII. And be it enacted, That after any such Agreement as last aforesaid shall have been made and entered into, Notice thereof, signed by the Chairman and Secretary of the *Leeds and Thirsk* and of the *East and West Yorkshire Junction* Railway Companies respectively, shall be given by Publication in the *London Gazette*.

After Publication of Notice, East and West Yorkshire Junction Railway vested in the Leeds and Thirsk Railway Company.

XXIV. And be it enacted, That from and after the Publication of such Notice the *East and West Yorkshire Junction* Railway, whether the same shall then have been commenced or completed or shall not have been commenced or completed, and all the Lands, Monies, Goods and Chattels, and all other the Real and Personal Estate and Effects of the said *East and West Yorkshire Junction* Railway Company, and all the Estate, Right, Title, and Interest of the said Company in their said Undertaking, and all the Rights, Privileges, Powers, and Authorities affecting or appurtenant to the same, by the recited Act relating to the said *East and West Yorkshire Junction* Railway Company, or by any other Act or Acts heretofore passed, vested in the said Company, shall (subject to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances of the said Company,) be and be held to be and the same are hereby vested in the said *Leeds and Thirsk* Railway Company, in the same Manner and to the same Extent as the said *East and West Yorkshire Junction* Railway Company could have executed, completed, held, used, exercised, and enjoyed the same if this Act had not been passed, save only so far as the Execution, Completion, Use, Exercise, or Enjoyment of such Undertaking, Rights, Powers, Authorities, and Privileges may be inconsistent with the Provisions and Purposes of this Act, or any of them.

Powers &c. of East and West Yorkshire Junction Railway Company extended to Leeds and Thirsk Railway Company.

XXV. And be it enacted, That from and after such Publication as aforesaid all the Powers, Authorities, Rights, Privileges, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Rules, Clauses, Matters, and Things contained in the recited Act relating to the said *East and West Yorkshire Junction* Railway Company, or in any other Act or Acts relating thereto, heretofore passed, or to be passed in the present Session of Parliament, shall, with reference to such Works, Matters, and Things as have been or might have been made or done thereunder by the said *East and West Yorkshire Junction* Railway Company, in relation to their said Undertaking or otherwise, if this Act had not been passed, and save only so far as the same or any of them are inconsistent with the Provisions and Purposes of or are by this Act expressly repealed

or

or altered, and subject to the Provisions herein-after contained, be executed, performed, and observed by and be applied and applicable to the *Leeds and Thirsk* Railway Company, their Directors, Officers, Agents, and Servants, in every respect, and as fully and effectually, to all Intents and Purposes, as if the Name of the *Leeds and Thirsk* Railway Company had in every Case been written or inserted in the Acts relating to the said *East and West Yorkshire Junction* Railway Company instead of the Name of that Company.

Debts, &c. of East and West Yorkshire Junction Railway Company transferred to Leeds and Thirsk Railway Company.

XXVI. And be it enacted, That (subject to the Provisions in this Act contained) from and after the Publication of such Notice as aforesaid all Debts then due from or to the said *East and West Yorkshire Junction* Railway Company shall be payable and paid, together with all Interest, if any, due or to accrue due thereon, by or to the said *Leeds and Thirsk* Railway Company; and all Rates, Tolls, Duties, and Monies which shall be or become, or which if this Act had not been passed would be or become, due and payable, under and by virtue of any Act or Acts relating to the said *East and West Yorkshire Junction* Railway Company or otherwise, from or to the same Company, shall be due and payable from or to the said *Leeds and Thirsk* Railway Company, and shall and may be recovered from and by the said *Leeds and Thirsk* Railway Company, by the same Ways and Means, with the same Restrictions and Regulations, and with the same Penalties in regard thereto respectively, as the same would or might have been due and payable to or from or recoverable from or by the said *East and West Yorkshire Junction* Railway Company in case this Act had not been passed.

Effect of Conveyances, Contracts, &c. of or to the East and West Yorkshire Junction Railway Company.

XXVII. And be it enacted, That all Conveyances, Contracts, Agreements, Obligations, Liabilities, Bonds, Covenants, and Securities which shall have been made or entered into before the Publication of such Notice as aforesaid, with, by, or for the said *East and West Yorkshire Junction* Railway Company, shall (subject to the Provisions in this Act contained) be and remain as good, valid, and effectual, for or against or with reference to the said *Leeds and Thirsk* Railway Company, to all Intents and Purposes as if the last-mentioned Company had been Party to and had executed the same, or had been named or referred to therein instead of the *East and West Yorkshire Junction* Railway Company.

Rights of Action by or against East and West Yorkshire, &c. Company to be valid for or against the Leeds, &c. Railway Company.

XXVIII. And be it enacted, That all Injuries, Misfeazances, Non-feazances, and other Rights of Action, which before the Publication of such Notice as aforesaid shall have been done or committed, or omitted to be done, or accrued, by, to, or for or against the said *East and West Yorkshire Junction* Railway Company, shall (subject to the Provisions in this Act contained) be and remain as good, valid, and effectual for or against the said *Leeds and Thirsk* Railway Company, to all Intents and Purposes, as if the same had been done or committed, or omitted to be done, or had accrued, by, to, for, or against the last-mentioned Company.

Act of East and West Yorkshire

XXIX. And be it enacted, That every Purchase, Sale, Conveyance, Grant, Lease, Agreement, Security, Right, Liability, Privilege, Omission

Junction Railway Company binding on the Leeds and Thirsk Railway Company.

Omission, Act, Matter, or Thing whatsoever, which before the Publication of such Notice as aforesaid shall have been made, done, executed, granted, incurred, obtained, omitted, transacted, commenced, or instituted under or by virtue or in pursuance of any Act or Acts relating to the said *East and West Yorkshire Junction* Railway Company, by, for, on behalf of, against, or in respect of the same Company, shall (subject to the Provisions in this Act contained) be and the same are hereby declared to be as good, valid, and effectual, and of the same Condition and Quality, to all Intents and Purposes whatever, to, for, or against the said *Leeds and Thirsk* Railway Company, as they respectively were immediately before the Period aforesaid with reference to the said *East and West Yorkshire Junction* Railway Company, and shall and may (subject as aforesaid) be executed, done, performed, continued, completed, and terminated by, for, or against or with reference to the said *Leeds and Thirsk* Railway Company, under and subject to the Provisions and Regulations of the Act or Acts relating to the said *East and West Yorkshire Junction* Railway Company, as fully and effectually as if the same could or might have been done by and in the Names or Name of the last-mentioned Company if this Act had not been passed.

Works to be completed.

XXX. Provided always, and be it enacted, That all Works which under the Provisions of any Act or Acts relating to the said *East and West Yorkshire Junction* Railway Company, or to the said *Leeds and Thirsk* Railway Company, the same Companies respectively, or either of them, are authorized or required to execute or complete, and which shall not have been executed or completed before the Publication of such Notice as aforesaid, may be executed or completed, as the Case may be, by the said *Leeds and Thirsk* Railway Company; and the same Company shall have full Power to pay for the same out of the Monies placed at their Disposal by this Act, or otherwise, and shall have and be entitled to all such Powers for executing and completing such Works as the said Companies respectively were entitled to under the said Acts or any of them, and as fully as if the said *Leeds and Thirsk* Railway Company had been originally authorized and required to execute and complete the same Works instead of the Company actually authorized and required to execute and complete the same: Provided nevertheless, that where any particular Time is by the same Acts or any of them limited for the Execution or completing of such Works the same shall and may be so executed and completed within the Period so limited.

Contracts to be completed.

XXXI. Provided also, and be it enacted, That in all Cases in which either of the said Companies, previously to the Publication of such Notice as aforesaid, shall, under the Powers or Provisions of any of the Acts aforesaid, have entered into any Contracts for the Purchase of or shall have taken or used any Land which before the Period aforesaid shall not have been effectually conveyed to such Company, or the Purchase Money in respect of which shall not have been duly paid by such Company, or shall have entered into any other Contract or Agreement, then and in every such Case in which the Contract or Agreement shall be still binding, or a Conveyance of the same can be called for, such Contracts or Agreements shall be com-

completed, and such Land shall be conveyed to the said *Leeds and Thirsk* Railway Company, or as such Company shall direct, and such Purchase Money or other Money so agreed to be paid shall be paid out of any Money placed at the Disposal of the said *Leeds and Thirsk* Railway Company by this Act or otherwise, and all Clauses, Provisions, Powers, and Authorities contained in such Act or Acts in relation to the Completion of such Contracts, and the Purchase and Conveyance of such Land, and the Payment and Application of such Purchase Money in respect thereof, and in relation to other Matters of Agreement, shall for the Purposes of this Act remain in full Force, and shall be construed and taken as if the said *Leeds and Thirsk* Railway Company were named in such Act or Acts and Contracts or Agreements respectively, instead of the Company which shall have entered into such Contracts, or taken or used such Land, or otherwise have been affected by such Agreements.

Application of certain Monies payable under recited Acts.

XXXII. Provided also, and be it enacted, That in all Cases in which, under the Provisions of any of the Acts relating to the *East and West Yorkshire Junction* Railway Company or to the said *Leeds and Thirsk* Railway Company, any Sum of Money shall before the Publication of such Notice as aforesaid have been paid by either of the said Companies, or shall thereafter be paid by them or either of them, into the Bank of *England*, or to any Trustee or Trustees, on account of the Purchase of any Land or any Interest therein, or for any Compensation or Satisfaction, or on any other Account, such Sum, or the Stocks, Funds, or Securities in or upon which the same shall be invested, either by the Order of the Court of Chancery or otherwise howsoever, and the Interest, Dividends, and annual Produce thereof, shall be applied and disposed of, pursuant to the Act or Acts under which the same has been or shall be so paid into the Bank of *England* or to such Trustee or Trustees as aforesaid, and all the Clauses, Provisoes, Powers, and Authorities contained in such Act or Acts in relation to such Monies, Stocks, Funds, and Securities, and the Dividends and annual Produce thereof, shall for the Purposes of this Act remain in full Force, and shall be construed and taken as if the *Leeds and Thirsk* Railway Company were named in such Act or Acts instead of the Company to which such Act or Acts relate.

Debt of the East and West Yorkshire Junction Railway Company to be the Debt of the Leeds and Thirsk Railway Company.

XXXIII. And be it enacted, That from and after the Publication of such Notice as aforesaid the Debt of the *East and West Yorkshire Junction* Railway Company then due on Mortgage or Bond, or otherwise, shall be deemed and is hereby declared to be Part of the Debt of the *Leeds and Thirsk* Railway Company, and subject to all the Provisions respecting Debt contained in the Acts relating to that Company: Provided always, that nothing herein contained shall give to the Holder of any such Mortgage, Bond, or other Security any Priority or Security which he would not have been entitled to if this Act had not been passed, nor diminish such as such Holder may possess at the Time of the passing of this Act.

Tolls to be taken.

XXXIV. And be it enacted, That it shall be lawful for the *Leeds and Thirsk* Railway Company to demand and receive, in respect of the Use of the said *East and West Yorkshire Junction* Railway, any

Tolls not exceeding the Tolls which under and by virtue of the said recited Act relating to the said *East and West Yorkshire Junction* Railway Company the same Company is authorized to take upon the said *East and West Yorkshire Junction* Railway.

Leeds and Thirsk Railway Company may create Shares.

XXXV. And whereas the present Share Capital of the *East and West Yorkshire Junction* Railway Company consists of Eight thousand Shares of the nominal Value of Twenty-five Pounds each; be it enacted, That the said *Leeds and Thirsk* Railway Company shall, as soon as practicable after the Publication of any such Notice as aforesaid, create Eight thousand Shares of the nominal Value of Twenty-five Pounds; and every Person or Corporation who at the Time of the Publication of such Notice shall be entitled to One or more Shares in the Capital of the *East and West Yorkshire Junction* Railway Company of the nominal Value of Twenty-five Pounds shall, in lieu thereof, for each such Share become entitled to One of the said new Shares.

New Shares to be subject to the same Trusts as old Shares.

XXXVI. And be it enacted, That all Persons and Corporations in whom any of the said new and substituted Shares shall become vested, under the Provisions herein-before contained, shall stand and be possessed of every such Share upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, and Incumbrances, upon and to which the original Share or Shares for which such new Share or Shares was or were substituted was or were subject and liable immediately before such Substitution took place, and so as to give effect to and not revoke any Will or other testamentary Instrument disposing of or affecting such original Share or Shares.

New Shares to be preferential.

XXXVII. And be it enacted, That the said new Shares for Two hundred thousand Pounds shall, for the Purpose of distinguishing the same from the other Shares or Capital of the *Leeds and Thirsk* Railway Company, be denominated "*York and Knaresborough* Preferential Shares," and shall be so described in the Certificates representing the same, and in the Books or Registers to be kept by the said Company; and the several Persons or Corporations in whom such Shares shall be vested by virtue of this Act, and their respective Executors, Administrators, Successors, and Assigns, shall have such and the like Powers to sell, assign, and transfer the said Shares as immediately prior to the passing of this Act they respectively had in reference to the Shares in right of which such new Shares became vested in them as aforesaid, but in such Manner, nevertheless, and subject to such Regulations, as the Shares of the *Leeds and Thirsk* Railway Company may for the Time being be sold, assigned, or transferred.

Fixed Dividend to be paid on the new Shares created in lieu of East and West Yorkshire Shares.

XXXVIII. And be it enacted, That from and after such Amalgamation as herein-before mentioned the several Persons and Corporations who upon such Amalgamation being agreed to as aforesaid shall, in right of being Proprietors of any Share or Shares in the *East and West Yorkshire Junction* Railway, become and be entitled to any of such *East and West Yorkshire* Preferential Shares, and their respective Executors, Administrators, Successors, and Assigns, shall thenceforth for ever be entitled to receive, out of the Profits of the

Leeds and Thirsk Railway Company, a fixed annual Dividend at and after the Rate of Six Pounds *per Centum per Annum* (clear of all Deductions except Property or Income Tax) upon the nominal Value of such Preferential Shares; and such Dividend shall be paid by Two equal half-yearly Payments on the First Day of *January* and the First Day of *July* in each Year, or within the Space of Thirty Days next thereafter respectively, the first of such Payments to be made Six Calendar Months after the Date of such Amalgamation, and such Dividends shall be paid by the *Leeds and Thirsk* Railway Company before and in preference to any Dividends in respect of any other Shares whatsoever in the *Leeds and Thirsk* Railways, and such Dividends shall be taken and deemed to be in lieu of any other Dividends or Participation in the Profits of the said *Leeds and Thirsk* Railways to which the Owners for the Time being of the said *East and West Yorkshire* Preferential Shares would otherwise have been entitled: Provided always, that no Interest or Dividend shall be payable upon any Share except so far as the Amount thereof has been actually paid up.

Power to recover the fixed Dividend.

XXXIX. And be it enacted, That in case such Amalgamation shall be made or come to, and Default shall be made in Payment of the said fixed Dividend, or any Part thereof, at the respective Times and in the Manner herein-before directed in that Behalf, and in case the same shall not be paid within Thirty Days next after Demand thereof in Writing shall have been made to the said Company, or to their Secretary for the Time being, it shall be lawful for any Two or more Justices of the Peace for the West Riding of the County of *York*, (not being interested in the Matter in question,) and they are hereby required, on Application to them from Time to Time made by or on behalf of any Proprietor whose fixed Dividend shall be so in arrear, by an Order under their Hands to appoint some fit and proper Person to receive the Rates, Tolls, and Fares leviable and receivable at any Station of the *Leeds and Thirsk* Railway Company, until such Dividend, together with the Costs of obtaining such Order, and of recovering and receiving such Rates, Tolls, and Fares, shall be fully paid (subject and without Prejudice, nevertheless, to the Claims and Demands of the Mortgagees for the Time being of the said Company for Recovery of the Principal Monies and Interest due to them respectively); and the Money so to be received by such Person so appointed as aforesaid is hereby declared to be so much Money received by or to the Use of the Party to whom such fixed Dividend shall be due and in arrear as aforesaid, and after such fixed Dividend and Costs shall have been so satisfied the Power of such Receiver for the Purposes aforesaid shall cease.

Calls paid upon the original Shares to be considered as paid upon the substituted Shares.

XL. And be it enacted, That all Sums of Money (if any) which at the Time of the Creation of such new Shares by virtue of this Act shall have been called up and paid, or called up but not paid, for or on account of any Shares in lieu or substitution for which any Share or Shares shall be given or granted by virtue of this Act, shall be considered as having been called up and paid, or called up and not paid, (as the Case may be,) for or on account of the new Shares which shall be substituted for such original Shares by virtue of this Act.

XLI. And

East and West Yorkshire Junction Railway Company to be dissolved.

XLI. And be it enacted, That, subject to the Provisions herein contained, the said *East and West Yorkshire Junction* Railway Company shall, from and immediately after the Publication of such Notice as aforesaid, be and is hereby dissolved for all Purposes, except such as may be necessary for enforcing any Agreements entered into between them and the said *Leeds and Thirsk* Railway Company, or any of the Provisions of this Act, for which Purposes the said *East and West Yorkshire Junction* Railway Company shall, notwithstanding this Enactment, continue and have Power to act as a Body Corporate.

Dissolution of Company not to abate Actions.

XLII. Provided always, and be it enacted, That nothing in this Act contained shall abate or prejudice any Action or Suit which shall have been commenced by or against the said *East and West Yorkshire Junction* Railway Company before the Publication of such Notice as aforesaid, but the same may be continued, proceeded with, and prosecuted as if this Act had not been passed; and nothing in this Act contained shall extend to revive or continue any Right of Action which by virtue of the said recited Acts or any or either of them should be brought within a limited Time, but such Action shall be brought within the same Time, against the said *Leeds and Thirsk* Railway Company, as it must or should have been against the said *East and West Yorkshire Junction* Railway Company in case this Act had not been passed; and nothing in this Act contained shall prevent the suing for or recovering, either in the Name of the said *East and West Yorkshire Junction* Railway Company, or of the said *Leeds and Thirsk* Railway Company, any Penalty incurred for any Offence against the Provisions of any Act or Acts relating to the said Companies respectively or either of them, on or before the Publication of any such Notice as aforesaid, or prevent, defeat, or abate any Prosecution, but all Penalties which shall have been so incurred may be sued for, and all Offences which shall have been so committed may be prosecuted, either in the Name of the said *East and West Yorkshire Junction* Railway Company or of the said *Leeds and Thirsk* Railway Company, in the same Manner, to all Intents and Purposes, as the same could have been sued for or prosecuted in the Name of the said *East and West Yorkshire Junction* Railway Company if this Act had not been passed.

Saving the Rights of Owners of Rent-charges, Mortgages, &c.

XLIII. Provided always, and be it enacted, That nothing hereinbefore contained shall diminish, prejudice, increase, extend, vary, or otherwise affect the Rights, Remedies, Securities, or other Claims of any Person or Corporation to whom any Sum of Money is, or but for the passing of this Act would have been or become, due or payable from the said *East and West Yorkshire Junction* Railway Company or the said *Leeds and Thirsk* Railway Company for Chief Rents, Ground Rents, Rent-charge, or other Rent or annual Sum, or upon or by virtue of any Mortgage or Bond from or by either of such Companies, but that all such Rights, Remedies, Securities, and other Claims shall continue and be charged and chargeable upon the same Property and Effects, have the same Priorities, and be in all respects in the same State and Condition, and of the same Force, Validity, and Effect, as they would have been if this Act had not been passed.

XLIV. And

Indemnity to the Directors of the East and West Yorkshire Junction Railway Company.

XLIV. And be it enacted, That all Persons who before the Publication of any such Notice as aforesaid were the Directors of the said *East and West Yorkshire Junction* Railway Company, their Heirs, Executors, Administrators, and Assigns, and their and each of their Lands, Tenements, Goods, and Chattels, shall be indemnified and saved harmless, by and out of the Funds of the *Leeds and Thirsk* Railway Company, against all Debts, Liabilities, Contracts, and Engagements contracted and entered into by them as such Directors respectively, and against all Damages, Losses, Costs, Charges, and Expenses occasioned or which may at any Time hereafter be occasioned on account or in respect thereof.

Directors under this Act.

XLV. And be it enacted, That the Directors for the Time being of the *Leeds and Thirsk* Railway Company shall be Directors as well for the Purposes of the Acts of Parliament relating to the said *Leeds and Thirsk* Railway Company as also for the Purposes of the Act relating to the said *East and West Yorkshire Junction* Railway Company and for the Purposes of this Act, and, for all Purposes connected with the Qualification of Directors, Shares held under this Act shall be deemed Shares in the *Leeds and Thirsk* Railway Company held under the Acts relating thereto, and all the Provisions in the recited Acts relating to the said *Leeds and Thirsk* Railway Company contained in reference to Directors going out of Office, being re-eligible, the Constitution of Meetings for choosing Directors, and the Proceedings thereat, and all other Provisions in such Acts contained, in reference to the Qualification, Election, Duties, and Powers of Directors, so far as the same are not repugnant to or inconsistent with the Provisions in this Act contained, shall continue in full Force.

Power to the Leeds and Thirsk Railway Company to exercise Powers of the East and West Yorkshire Junction Railway Company as to the raising of Money.

XLVI. And be it enacted, That it shall be lawful for the said *Leeds and Thirsk* Railway Company, after the Publication of any such Notice as aforesaid, to exercise all Powers with reference to the raising of Money, either by the Creation of new Shares or by Mortgage, which may have been granted to the said *East and West Yorkshire Junction* Railway Company by the said recited Act relating to such Company, and which may be then in force, and for such Purpose to create additional Shares in the *Leeds and Thirsk* Railway Company, or to mortgage or assign the Undertakings, and the Rates, Tolls, or other Property of the said *Leeds and Thirsk* Railway Company, as the Case may be, but so nevertheless that the total Amount of Money to be raised by the said *Leeds and Thirsk* Railway Company under the Powers of this Act and of the said recited Acts, and any other Act or Acts of the present Session of Parliament relating to their Undertakings, shall not exceed the aggregate Amount of Capital which the *Leeds and Thirsk* Railway Company and the said *East and West Yorkshire Junction* Railway Company respectively are or may be authorized to raise under the Powers of the said recited Acts, and any other Act or Acts of the present Session relating to their respective Undertakings.

In case Mortgages are paid off, the

XLVII. And be it enacted, That if the said *Leeds and Thirsk* Railway Company shall pay off all or any Part of any Money which has

Leeds and Thirsk Railway Company may raise the Money again.

has been or shall at any Time or Times hereafter be borrowed under the Authority of the several Acts of Parliament relating to the said *East and West Yorkshire Junction* Railway Company or to the said *Leeds and Thirsk* Railway Company, or any of such Acts, then and in every such Case it shall be lawful for the said *Leeds and Thirsk* Railway Company and they are hereby authorized and empowered, immediately, or at any Time or Times and from Time to Time thereafter, again to raise or borrow the whole or any Part of the Amount so paid off on the Credit of the several Undertakings vested in them, and for that Purpose to mortgage and assign the Undertakings, and the Rates, Tolls, and other Property of the said *Leeds and Thirsk* Railway Company, or any Part thereof respectively, (the Costs and Charges of assigning the same to be paid out of the Money so to be raised,) as a Security for any Sum of Money which shall be so again raised or borrowed, with Interest, to such Person as shall advance the same, and so from Time to Time as often as the same shall happen, but so nevertheless that the said *Leeds and Thirsk* Railway Company shall not, under the Authority of this Act, in any Event borrow or owe upon Mortgage at any One Time more than the total Amount authorized to be raised or borrowed by the said Companies respectively.

Power of Amalgamation not to be exercised without Certificate of Commissioners of Railways.

XLVIII. 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.

Provisions of former Acts of Leeds and Thirsk Railway Company applicable to this Act.

XLIX. And be it enacted, That so much and such Parts of the recited Acts, and of any Act of the present Session of Parliament relating to the said *Leeds and Thirsk* Railway Company, as relate to or in any manner concern the Appointment, Duty, Power, Obligation, or Liability of Directors, Committees, Clerk, Secretary, Treasurer, or other Officers, the making or Enforcement of Bye Laws, the Keeping, Examination, Inspection, or making up of Accounts, the making Calls and enforcing Payment of Calls, the Forfeiture of Shares for the Nonpayment of Calls, the raising Money, the Conversion of Debt into Capital, the Consolidation of Shares into Stock, the transferring or Transmission of Shares or Stock, the Declaration or Receipt of Dividends, and the Service of Notice, Writ, or other Process, (except so far as the same or any of them have heretofore been or by this Act is or are varied, altered, or repealed, or so far as the same or any of them may be inconsistent with the Provisions and Purposes of this Act,) and all other Powers and Provisions of the aforesaid Acts not inconsistent with this Act, shall be good, valid, and effectual to and for the Undertaking of the said *East and West Yorkshire Junction* Railway Company as well as of the said *Leeds and Thirsk* Railway Company, and all the Purposes thereof respectively, and for carrying this

this Act into execution, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted expressly in this Act.

Commissioners of Railways may require Inconveniences and Evils to be remedied.

L. And be it enacted, That if at any Time after the passing of this Act it shall appear to the Commissioners of Railways to be necessary for the Interests of the Public, it shall be lawful for the said Commissioners to require the *Leeds and Thirsk* Railway Company to proceed forthwith to the Correction or Prevention of any Inconvenience or Evils by the Commissioners specified; and upon the Failure or Inability of such Company to comply with the Requisition of the said Commissioners within the Period of Six Months from the Date of such Requisition, in the Particulars aforesaid, it shall be lawful for the said Commissioners to serve the said *Leeds and Thirsk* Railway Company with Notice to introduce into Parliament in the then existing Session, if Parliament should be then sitting, and if not, in the next ensuing Session, a Bill or Bills for amending this Act in such Particulars as aforesaid, and thereupon the said *Leeds and Thirsk* Railway Company shall and is hereby required to introduce such Bill or Bills accordingly, and duly to prosecute the same; in default whereof it shall be lawful for the said Commissioners to introduce or prosecute (as the Case may be) such Bill, at the Expense of the said *Leeds and Thirsk* Railway Company.

Railway Company to be subject to the 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.

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

Railways to be subject to Provisions of future general Acts.

LII. And be it enacted, That nothing herein contained shall be deemed to exempt the Railways by the said recited Acts or this Act amalgamated or authorized to be made and completed 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

during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act or the said recited Acts.

Expenses of Act.

LIII. And be it enacted, That all the Costs, Charges, and Expenses of and incidental to the obtaining of this Act, and preparatory thereto, shall be paid by the said *Leeds and Thirsk* Railway Company *pari passu* with the Costs, Charges, and Expenses of any other Act of Parliament passed in the present Session to which they may be liable out of the first Monies received or to be received by them by virtue of this Act, or out of any other Monies at their Disposal.

Short Title.

LIV. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to refer to and describe it by the Title of "The *Leeds and Thirsk* Railway (*Harrogate and Pateley* Branch and *East and West Yorkshire Junction* Railway Amalgamation) Act, 1848."

Saving Rights of the Crown and the Duchy of Lancaster.

LV. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Queen's most Excellent Majesty, Her Heirs and Successors, as well in right of Her Crown as in right of Her Duchy of *Lancaster*.

Public Act.

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

SCHEDULE (X.) referred to by the foregoing Act.

Conveyance to Her Majesty in right of Her Duchy of Lancaster.

THESE are to witness, That in consideration of the Sum of £ paid to *A. B.* of by *C. D.*, the Receiver General of the Revenues of the Duchy of Lancaster, on behalf of Her Majesty, he the said *A. B.* doth by these Presents grant, convey, and assure unto the said *C. D.*, his Heirs and Assigns, all that to have and to hold the same unto the said *C. D.*, his Heirs and Assigns, to the Use of Her said Majesty, Her Heirs and Successors, in right of Her said Duchy.

In witness, *&c.*

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